POLICE · BUDGET · EDITION

EDITED · BY HAROLD FURNISS

FAMOUS CRIMES

PAST AND PRESENT

ONE · PENNY

HE FELL, SHOT THROUGH THE HEAD.

(See Ned Kelly, the Bushranger.)

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THE MOST DARING AUSTRALIAN CRIMINAL.

"Fearless and fierce, and hard as beasts of blood;
They stand a speck amid the peopled plain;
Carnage and ruin have been made their food
From infancy—ill has become their good,
And for its hateful sake their will has wove
The chains which eat their hearts."

—SHELLEY, "The Revolt of Islam," Canto iv.

PART I.

THE story of the "Kelly Gang" is one of the most dramatic in the history of criminal romance. Their exploits only occurred twenty-five years ago, yet they read like a chapter of mediæval history, when knights in armour roamed rampant through the world. Theirs was a reign of terror. Their name struck fear into the hearts of the stoutest; they were the most detested and the most admired of all outlaws who ever took to the road. Their crimes are as imperishable as the great country which gave them birth; and the greatest of Australia's sons dwell on their memory with pity. A generation has gone by since they baffled the police forces of Victoria and New South Wales; the glamour of their lawless lives shows little signs of waning. For they proved they had the stuff from which great heroes can be moulded. And they perished fighting to the last.

In order that we can judge them fairly and dispassionately, it is necessary that we should know their early history and the environment in which they lived. They were children of the Australian bush, that mighty, tangled forest which is almost the size of Europe. They passed their childhood and youth amidst the grandest and most lonesome scenery with which the world is blest. Wherever they looked, their eyes rested on panoramic views of awe-inspiring splendour. Mountains of dense foliage, lagoons like silver, gaunt peaks on which the sun still rests when the valleys are in darkness; on every side giant trees, and the sough of the wind, and the silence of the grave. Nature everywhere to keep them company; and men, and cities, and laws, unknown and undreamt of.

They took their rule of life from nature around them. So it is with all bushmen. Their lives are a struggle with primitive forces; they learn their lessons from the example of other woodland creatures. Like them they hunt for their food, arise at break of day, and lie down at nightfall. Their bed is a mossy spot, their covering the dome of heaven. Like animals, they sleep curled up in a circle; they feel neither heat nor cold; solitude has no terror for them, for they are never lonely. The chatter of the brook, the croaking of the bull frogs, the moan of the bear, the opossum's giggle, the hoarse cry of the Australian nightingale, lull them to rest with a feeling of security. The bushman is most happy when he is most alone; it is only in intercourse with other men that he feels shackled and ill at ease. For he is a woodland fay.

Perhaps there may have been a dozen homesteads within thirty square miles of the spot where Ned Kelly was born. Around each homestead there were a few acres of cultivated soil. For the rest, the forest remained as it had been before a white man ever landed in Australia. From earliest childhood the boy had learnt to find for himself. He could ride like a centaur when he was six years of age. He slept at home or out in the thick bracken as he chose. Sometimes he appeared at meal times, sometimes he jumped on a horse and galloped with unerring instinct to the house of a friend miles away, returning home only when the fit seized him. Before he was ten years of age he knew every crevice and gully in the vast jungle for fifty miles around. His wild spirit was never schooled; what he knew of this world had been gathered from his own observation; of an existence hereafter he had not the smallest conception. He shot up into manhood like the weeds and wild flowers around. In his childhood he was untamed, and in his youth he became untamable.

At a very early age he fell under a most evil influence, Power, a notorious criminal, having escaped from a Melbourne gaol, had worked his way up to the Greta country, where the Kellys lived, and had taken to bushranging. He became the terror of all law-abiding citizens, "holding up" coaches single-handed, and robbing as many as thirty men in one day. His name and his exploits were in every man's mouth. In time they reached the lad, Ned Kelly, and impressed his young imagination vividly. For at Greta, in those days, the law as understood was not greatly appreciated. It represented some hidden power which thwarted the free denizens of the bush at every turn, with regard to fences and boundaries, the right of chastisement under insult or injury, or in some other way antagonistic to the recognised code of fair play and summary justice. And it was enforced by the police, who lived a life of inexplicable discipline, at the beck and call of another man, and who were necessarily identified with every unpleasant incident that clashed with the bushman's wild idea of freedom. Greta did not like the police; from his baby days Ned Kelly was taught to think of them with scorn and contempt. And here now, in the person of the outlaw Power, was a man who openly and successfully defied them. To the boy Kelly he represented all that was great and heroic in man. He determined to go and see him.

He went. He disappeared from home. And after much searching he met Power face to face in the heart of a rocky fastness. Power liked the lad—he saw he could be of use—and from that day on Ned Kelly frequently accompanied him on his forays, and held his horse at some distance away, while Power robbed the public. But at last Power was re-arrested, and once more flung into gaol. And Ned Kelly's occupation was gone. He returned home, but he never settled down. Other young fellows, including his brother Dan, were of the same restless, lawless nature as himself. They knew that money could be made otherwise than by drudgery, and so they despised work. Cattle-lifting and horse-stealing had gone on at Greta, and in many other parts

of Victoria, for years before they were born. And they could point to men in affluent circumstances living around them whose success in life had not been due to honesty. Besides, there was the excitement and risk to stimulate them. So they formed a gang, of which Ned Kelly, partly by his own inherent force of character, and partly owing to his prior connection with Power, became the recognised leader without any opposition at any time.

The members of this gang were much larger in numbers than the one which subsequently terrorised Victoria. But it was from it that the latter was recruited. For the next few years Ned Kelly contented himself with spasmodic depredations. At times he vanished from Greta, and then the police in a far distant neighbourhood would be busy for weeks in investigating a flagrant case of horse-stealing. At times he worked a little at home. He became one of the best-known men in the north-easterly part of Victoria; and in his wanderings he learnt every inch of the ground for hundreds of miles around Greta so thoroughly that he was

He met Power.

able, when made an outlaw, to defy the combined police of Victoria and New South Wales for two years, practically without possibility of arrest.

Ned Kelly was born in the year 1854. He took to the road in 1878. He was then twenty-four years of age, and the oldest of the gang. Truth to tell, they were little more than boys. His outlawed companions were his brother Dan Kelly, 17 years of age; Steve Hart, 18 years of age; and Joe Byrne, 21 years of age. The annihilation of this gang of youths cost the Government of Victoria the huge sum of £150,000!

At this time Ned Kelly was a remarkably fine-looking man. He was very tall, muscular, and broad-shouldered. His features were regular, his eyes shrewd and kindly, his expression open and manly, his hair wavy, and his long, thick, black beard well trimmed and glossy. His brother Dan was a medium-sized lad of very ordinary appearance. He was more of a "larrikin" than any of the others. Joe Byrne, who acted at all times as Ned Kelly's lieutenant, was a tall, strapping fellow—a typical bullock-driver or woodsman. In appearance Steve Hart was quite the most interesting. He had a gentle, poetic face, his features were delicate and refined, his eyes dreamy. He looked a boy who had passed his days in study rather than in the rough, untutored life of the bush. It was hard to realise that he was so utterly depraved.

While the Kelly family lived near Greta, the Hart family were at Wangaratta, at the foot of the Warby ranges, and Joe Byrne's people were in comfortable circumstances at a place called Woolshed. They were all, therefore, in the wild, mountainous range on the Victorian side of the boundary line dividing that colony from New South Wales. For many miles on both sides of the boundary they had innumerable relations. And so, when trouble came, they were able to rely on sympathisers, both active and alert. This country might well have been called "the Kelly country" in those days. Many supported the outlaws openly; others favoured them secretly. The police had not merely to rout out a hornets' nest; all the tacit resources of a country larger than England were arrayed against them.

Ned Kelly and his companions had been leading their dissolute life for some years, when one morning, in the April of 1878, a young constable named Fitzpatrick rode up to the homestead holding a warrant for the arrest of his brother Dan. He was invited to enter, but when he disclosed his mission he was met with scowls and derisive jeers on all sides. The constable, however, was plucky. He may or may not have known what to expect when he attempted an arrest in the Kelly ménage. At all events, being there, he was not to be trifled with. Though the house was full of men, he approached young Dan and seized him to take him away. A scuffle followed, both the men and the women growing heated. The constable meant business, and stuck to his prisoner. The men struggled to release Dan, the constable fought to hold him, and Ned Kelly, drawing his revolver, shot Fitzpatrick in the wrist. Then the constable was helpless, he could do no more.

Both Ned and Dan Kelly went at once into hiding in the mountains, until, as they hoped, the affair should blow over. That, however, was not likely to be the case. Firing at and wounding a constable in the discharge of his duty is an offence which no Government worthy of the name could possibly overlook. Ned Kelly's mother and two or three other persons who had been in the house at the time of the affray were promptly arrested and lodged in gaol. And warrants were issued and a reward of £100 offered for the capture of Ned and Dan.

Of course they eluded the police. The search for them was not conducted on any organised system, and they could sit on a hill side within a mile of their home and watch all that went on in the valley without any fear of danger. Meantime, the news spread, and Ned Kelly's friends rode in to sympathise with him. Amongst them were Joe Byrne and Steve Hart, who kept vigil with the brothers and acted as their watchdogs. Days went past, and sharp letters came from headquarters inquiring how the offenders were still permitted to be at large, and ordering their immediate arrest. The police in the neighbourhood of Greta began to bestir themselves, not, however, without the knowledge of Ned Kelly's friends. And then Ned Kelly determined to "hold up" the police! In his heart he despised them, and thought the job would not be fraught with danger. So he asked Steve Hart and Joe Byrne to join in, and they weakly consented. That was the beginning of the end.

The opportunity came in October, several months after Constable Fitzpatrick had been wounded, and when public opinion in Melbourne had been excited to such a pitch that energetic measures became absolutely necessary. During the summer the Kellys had gone about wherever they liked. They were seen constantly at race meetings, they often rubbed shoulders with the police in the public streets, and it was said that Ned had even visited Melbourne, and enjoyed a frolic at the theatres. So search parties were organised, each consisting of three or four constables; and mapping out the Greta country into districts, they began a careful search. Then Ned Kelly showed his power as an organiser. He instituted a system of "bush telegraphs" with secret signs by which he was always made aware when the scent was hot.

For instance, a tablecloth thrown over a bush in front of a homestead notified that the police were watching the house. A peculiar "cooey" he adopted was always answered when he wanted assistance. A few broken twigs meant safety, a stone against a gate spelt danger.

Any movements by the police were at once reported to him. So he bided his time until a search party pushing forward came well within his lair. Then he determined to capture them, hoping by this feat to scare the others. The party consisted of Sergeant Kennedy, an experienced officer, in charge, and Constables Scanlan, Lonergan, and M'Intyre. They had directions to search the Wombat Ranges, a wild and rugged network of hills. They left the town of Mansfield towards the end of October with horses and provisions, and after an arduous day toiling through the dense scrub, they camped at night in a place known as the Stringy Bark Ranges. The next morning Kennedy and Scanlan started made M'Intyre sit on a log where he could be seen by Kennedy and Scanlan when returning, and they hid themselves. Ned Kelly, however, bade M'Intyre to endeavour to persuade the other constables to surrender, promising that if they did he would not injure them in any way.

After some hours' waiting, Kennedy and Scanlan rode, laughing and chatting, into the camp. M'Intyre arose and went forward to them.

"Sergeant," he said, addressing Kennedy, "I think you had better dismount and surrender. The Kelly gang are here. They have killed Lonergan, who resisted, and they have captured me. I was unarmed."

As he spoke, the four outlaws jumped to their feet with their rifles in their hands.

"Hands up or you are dead men," Ned Kelly called out authoritatively, as they levelled their rifles.

But these brave policemen were made of fighting

THE CONSTABLE WAS HELPLESS; HE COULD DO NO MORE.

to scour the ranges. Lonergan and M'Intyre stayed behind to guard the little camp and cook the supper.

About two o'clock, while these constables were chatting in front of the tent, four men stepped out from behind different trees and called upon them "to throw up their hands." As they spoke they levelled their rifles. M'Intyre, whose revolver was in the tent, complied at once. Lonergan, whose revolver was in the case at his side, tried to get behind a tree, from whence he could draw it in safety and fire. He had only moved a couple of yards when he fell, shot through the head. The deed was done. The Kelly gang were murderers. Nothing for them now but the halter if once they were caught.

Byrne and Hart went over to the prostrate man and looked at him in horror. They had not reckoned on this. Ned Kelly, who fired the shot, shook his head, but took the matter calmly. He had seen Lonergan put his hand to the revolver case, and he knew what it meant if the poor fellow had reached the shelter of the tree. Ned said then and afterwards that Lonergan was the bravest man he knew, and had he known that he was of the party he would not have attacked it. The evil being done, they determined to disarm the other members of the search party. So they material. Scanlan threw his leg over the saddle, meaning to jump to the ground and draw his revolver. Shots rang out through the forest, and before he reached the ground he was dead. The outlaws were such unerring marksmen that he was simultaneously hit, thrice in the head and once in the body. Kennedy jumped from his horse on the far side, and opened fire upon the bushrangers. The horse bolted, leaving him unprotected. It passed near M'Intyre, who vaulted cleverly into the saddle, and so escaped. Kennedy flung himself upon the ground, and fought the four. The unequal contest went on for over an hour, the outlaws trying to close in on him like Red Indians on the trail, and Kennedy firing at every momentary glimpse of a man's head or body. But there were four of them to watch, and their movements were cat-like. At last one of the four, working round to the rear, was able to cover him, and the poor fellow rolled over on his side, dead, after doing his duty like a hero. M'Intyre, after many adventures, reached Mansfield, and the news of the murder was telegraphed all over the world.

A great wave of horror passed over the colony. All right-thinking men condemned the murderers, and called loudly for their arrest and punishment. The Government promptly offered a reward of £1,000 apiece for information that

would lead to their arrest. The Victorian police were re-armed with the most modern weapons, and as many as could be spared were sent up to patrol the Greta country, until it assumed a military appearance. The wildest reports came in from all parts of the district with descriptions answering to the appearance of the criminals; men went about their business in terror, not knowing who might be the next victim; and as weeks went by without any result, the feeling of suspense and insecurity found vent in a vigorous attack upon the inefficiency of the police authorities. The Kelly gang had disappeared as completely as if lost in the bowels of the earth.

The most careful plans to track them down were balked apparently at the last moment. For every policeman engaged in their pursuit there were two spies assisting in their escape. Every movement of the constabulary was carefully reported; men and women joined eagerly in defeating the ends of justice, and as the search became more rigorous,

Sauntered up to the door.

and the Press clamoured the louder for their arrest, a strange halo of romance began to shine over these hardened and hunted desperadoes who kept the Government of a country at bay.

Then, while the authorities, baffled, badgered, and perplexed, wildly promised their speedy capture, they swooped down on a town like a bolt from the blue, and in broad daylight committed a daring and most successful robbery, only to disappear again without leaving a trace behind them.

The pretty little town of Euroa is on the main railway line between Sydney and Melbourne, and about 100 miles from the latter city. At this time the town had almost 300 inhabitants, two hotels, many substantially-built buildings, a police station, and a bank. It lies close by the railway line, and during the day many trains travel past, within view of the town and the inhabitants. The town nestles at the foot of the Strathbogie Ranges, a lofty series of mountains, beautifully timbered and thick with scrub, rolling back forty miles to Mansfield in all the grandeur of primeval nature. Here and there around Euroa there are squatters' stations within half a day's journey one from the other. The district is a typical bit of Australian scenery at its best.

On Monday, December 18th, 1878, as a man named Fitzgerald was eating his mid-day dinner in a hut on Mr. Younghusband's station, some miles from Euroa, he was interrupted by the approach of a swagman, smoking a small pipe, who slowly sauntered up to the door and inquired if Mr. Macauley, the manager of the station, was at home. Told that he was absent, but would return that evening, the man nodded and walked slowly away. It was Ned Kelly! Fitzgerald, watching him idly, was surprised to see him joined by two other men leading four splendid horses. Then the three men went to the homestead, and Fitzgerald left his dinner and followed them.

When the gang got to the house, Ned Kelly went in, and meeting a woman, he said quietly, "I am Ned Kelly, and my mates, as you see, are outside. You have nothing in the world to fear from us. But we have come a long way, and we must have rest and food for ourselves and our horses. You must give us that."

He spoke so simply and quietly that the women were in no way afraid, and they at once complied with his request. So they groomed and stabled their horses, and sat down to a good meal, one of them always mounting guard.

As the men from the station dropped in to dinner later on, Ned Kelly took them prisoners, and locked them up in a detached building, until by two o'clock there must have been about twenty men in the shed. The gang and their prisoners chatted amicably together, and Ned took care that they should be provided with a meal, tobacco, and all else they required. Most of the station hands seemed to consider the incident in the light of a huge joke. Mr. Macauley, the manager, rode in about five o'clock, and Ned Kelly with a revolver in his pocket went up to meet him.

"You are my prisoner, boss," he said quietly, drawing the revolver. "I am Ned Kelly, and we have to rest here to-night, my pals and myself. We have locked your men up in the store, but the ladies are free in the homestead, and you can join them. We must protect ourselves, however; so I warn you that if you try to escape, or give the alarm, you will be shot dead."

Mr. Macauley saw that resistance would be useless, so he dismounted and surrendered.

The bushrangers passed the night quietly at the station, smoking, chatting, and playing cards with the station hands. They insulted no one, and behaved themselves most decorously. In the morning they and their horses were rested, and fit for the day's work, and a speedy flight if pursued. In this, as in many other ways on several occasions, Ned Kelly showed that he had all the wise foresight of an able general, and was undoubtedly born to command. The pity is that he made such an ill use of his talents.

As they were preparing to start for Euroa, they saw a buggy containing four people driving close by the homestead. For precaution's sake they arrested them, and locked them up in the shed. In the early morning they had cut the telegraph wires, and men who were working on the line had interrupted them, so they locked them up, too. Then, after a good meal, Ned Kelly, his brother Dan, and Steve Hart rode into Euroa, leaving Joe Byrne to guard the prisoners. They took a small cart, and Ned Kelly insisted on Mr. Macauley giving a cheque for a few pounds to be cashed at the bank. The object of this was soon to be evident.

Arrived at Euroa, they rode and drove quietly down the dusty street. And having reached the bank, Ned got out of Mr. Macauley's cart, which could be easily recognised, and knocked at the door. For he had timed his arrival just a few minutes after the bank would be closed for the day.

After some demur, a clerk opened the door, and Ned Kelly presented Mr. Macauley's cheque for payment. The clerk said that the bank was closed for the day, and the cheque could not be cashed. Ned pleaded that the money was wanted urgently, and, after some remonstrance, the clerk consented to his admittance. No sooner was the bushranger inside than he locked the door and drew out a revolver.

"Hands up," he said. "I am Ned Kelly."

Meantime, his brother Dan and Steve Hart had gone round to the back of the bank, and as Ned Kelly spoke, Hart entered through the back door, leaving Dan Kelly on guard outside. Ned went in search of Mr. Scott, the manager, and found him sitting in his office.

"You are my prisoner," he said. "Hands up. I have come to rob this bank. Be quiet, and you are safe; make a noise, and you are a dead man."

Then he proceeded to ransack the bank, while Steve Hart covered the officials with a revolver. Ned found between £300 and £400 in notes, gold, and silver, lying in the drawers. He packed the money in a bag. Then he told Mr. Scott he was going up to the private rooms, but that he need fear no evil.

He went upstairs, and met Mrs. Scott and her children. The lady was surprised somewhat to see a stranger, but not frightened.

"I am Ned Kelly, ma'am," the outlaw said quietly. "My men are downstairs, and Mr. Scott is with them. But we don't intend to hurt him or anyone else. Of course we've come to rob the bank. We've got everyone locked up at Younghusband's station, and I want you, the children, and the servants to get into the buggy and come out there, too. Then, when we get a start into the bush, you can all be free again."

Mrs. Scott could not believe him. He looked such a handsome, straightforward, simple fellow that she shook her head and laughed.

"You that horrid murderer!" she exclaimed. "You must be jesting!"

"I am Ned Kelly," he replied, "and I killed the policemen. But I never thought the matter would end that way when I set out to catch them. Now, ma'am, will you tell the servants and children to get ready at once. We must make a start. And warn them to be quiet, for, of course, my mates and I are desperate men."

Mrs. Scott looked into his grave, bearded face, and steady, kindly eyes, and saw she had nothing to fear. She at once did as he directed, and in a few minutes all the household were gathered in the bank. Then Ned Kelly turned to Mr. Scott.

"Give me the key of the safe," he said.

Mr. Scott hesitated.

Ned Kelly kept his hand outstretched, and looked hard into Mr. Scott's eyes.

"Give me the key," he said a second time.

With a sigh the bank manager drew it from his pocket and handed it over.

In silence Ned Kelly opened the safe, abstracted £1,500 in gold, notes, silver, and gold dust, and packed the money into bags.

"Now we're ready," he said.

Steve Hart brought the buggy round into the main street. Ned Kelly calmly threw open the bank door. He directed Mr. Scott with his wife and children to get into the buggy. Then he took his seat in Mr. Scott's cart, together with the bank clerks. The servants got into a cart with Dan Kelly.

"YOU ARE MY PRISONER, BOSS!"

The bank door was closed, and the cavalcade started. Ned Kelly went first, the buggy followed; then came Dan Kelly, and Steve Hart on horseback.

They drove down the quiet street without attracting any attention. As they approached Younghusband's station they met a funeral party returning home. Ned Kelly turned in his cart and touched his hip significantly. The mourners passed by without displaying any curiosity, for afternoon picnic parties are not unusual in the bush. When they reached Younghusband's station, Kelly asked Mr. Scott and his family to join Mr. Macauley's family in the homestead. The bank clerks and servants were locked up in the shed. Then the bushrangers made preparations for a start. They had a good meal, saddled their horses, and divided their booty into four equal shares. Just before leaving Ned Kelly made a little speech.

"We want three hours' start," he said. "If anyone leaves the station before that time is up, and gives information, I am certain to hear of it. And sooner or later I will shoot that man dead. In three hours go free, and do what you like. As you value your lives, stay here till then."

Dusk was falling as they rode away. No one stirred until the allotted time had expired. Then Mr. Scott went back to the bank and found it just as they had left it. Euroa

"I am Ned Kelly, ma'am."

was in complete ignorance of the robbery! Ned Kelly disappeared again into the wilds, leaving no trace behind.

Melbourne was dumbfounded. That a bank could be robbed in broad daylight, and forty persons seized and locked up as prisoners by four men, seemed too preposterous to be true. The police had a bad time. And little wonder!

What would the Kelly gang do next?

The Subject's Retort.

LORD CHANCELLOR SHAFTESBURY was always a favourite of Charles II., and was as renowned for his wit as he was notorious for his profligacy. On one occasion Charles placed him at a banquet amongst the loosest of his profligate attendants. "Shaftesbury," said the King, "I verily believe thou art the wickedest dog in England."

"For a subject, your Majesty, I verily believe I am," was the ready retort.

He Bought the Gun.

A GERMAN count was travelling in England in the year 1733, when a man on horseback, according to the count's own words, "put a gun into the coach" and said, "My lord, this is a good gun; 'tis worth one hundred pieces between friends; I would advise you to buy it." The count understood his meaning, but, being defenceless, drew a hundred guineas out of his purse, which the highwayman took, and gave him the gun. The moment the count got the weapon into his hand, he presented it at the robber's head and said, "Now, my good man, kindly hand back that hundred guineas, or I will certainly blow your brains out." "Fire away, my good friend," was the cool reply of the high toby man, "fire away, for there's neither powder nor shot in the pistol. I sold you the weapon only, and not what was in it."

A Murder of the Time of Nebuchadnezzar I.

B.C. 1120.

ONE of the most remarkable cases of murder committed in ancient times and of which contemporary record has come down to us, was that of the Scribe Bel-nadin-akhi, who was done to death in the fifth year of Nebuchadnezzar I. about B.C. 1120.

Of this crime, one of the most famous in the criminal annals of Ancient Babylonia, we have no less than six reports. Two copies are in the museum of Florence, three in the Louvre, Paris, and the longest is in the British Museum.

It appears from this report that on the night of the 18th of Nisan, which is equivalent to our March, a man was found murdered in Borsippa, a suburb of Babylon. The murderer had slashed his victim about very much after the style of Jack the Ripper. The breast had been cut off, one leg had been amputated at the knee, the right hand was missing, and so was the head. Many people came forward to say that they had seen the murdered man in the early part of the day standing near the temple of Nebo, to which he appears to have been attached. He was also seen later, in the company of a man and woman. The man, from his dress, appeared to be a Median, while the woman was a native of Babylon, well known about town, and who rejoiced in the nickname of Lisan-rabu, or long tongue, from the habit she had of gossiping at the street corners and in the market places about matters which, as one of the witnesses at the trial stated, "did not concern her."

The murdered man had, as far as could be ascertained, no enemies either in Borsippa or in Babylon itself, and none of the twenty-eight witnesses brought forward at the trial could in the slightest degree account for the terrible crime which had been perpetrated in their midst.

A diligent search was next instituted in all the public places and temples, in order, if possible, to discover the murderer, who, to all appearance, had been spirited away. It occurred to one of the judges that perhaps the murder had been committed through jealousy by one of the other scribes, a caste to which, as aforesaid, the victim belonged. In order to test this theory, all the temple and private scribes were collected together to give an account of their movements on that particular night, and they, one and all, gave such information concerning themselves as satisfied the judges that whosoever the murderer or murderers may have been he or they were certainly not among the scribes in Babylon.

From the 18th of Nisan until the 6th of Elul (August) a continued search was made, but without result. On the 25th of Elul a stranger offered for sale to a seal engraver a small cylinder seal made of chalcedony, which he said he had bought a few days before from a man at Ecbatana. The engraver recognised the seal as one which he had specially cut for the deceased Bel-nadin-akhi about three years before. He recognised it, so he told the judges later, by the device which represented the god Mulhl, the storm god Rimmon, and the goddess Belit, a combination of deities which, as he stated, was rarely if ever asked for by his customers, and he said so to Bel-nadin-akhi when he gave the order.

We must at this point explain that these seals were worn by all Babylonians, male and female. They were cylindrical in shape, of from one quarter to one and a-half inches in thickness, and about from one to two inches long. They were usually of hematite, chalcedony, jasper, lapis lazuli, agate, or some other rare stone, and were engraved with gods, goddesses, trees, animals, and suitable inscriptions to please the owners' taste. The seal was pierced lengthways, so as to take a cord or chain, by means of which it was fixed to the wrist, but so as to allow of its being quickly removed, as the Babylonians put them to practical use for sealing documents, similar to our modern usage of the signet ring. A clue having now been obtained, it was necessary to follow it up.

The stranger who had offered the seal for sale was detained, and, in the company of a number of officials, was taken back to Ecbatana. Arrived there, they proceeded at

once to the bazaars, in the hope of meeting the man who had sold the seal in the first place.

Now the bazaars in the Ancient East were very much what they are to-day, the meeting places of anybody and everybody, and it is more likely that you will run up against the person you want in the bazaars than anywhere else. This accounts for the Babylonian officials adopting this, to our Western mind, strange method of tracking their man. Neither were they disappointed. On the fourth day after their arrival they saw a man in the market who was pointed out to them as being the man who sold the seal. He was promptly arrested and taken back to Babylon, where he was tried and finally found guilty.

We will now let the tablet speak in its own words:

"In the month Marcheswan (September), on the 14th day—a lucky day—a trial took place. A man from Media, Tshtar-zikir-iskun was his name, from the city of Ecbatana they brought. The murder of the scribe Bel-nadin-akhi to his charge they laid. The murder he confessed. He said: 'Bel-nadin-akhi with a knife his head I cut off, and in a caldron I boiled. For purposes of magic, his hand I roasted in the city of Uruk. His seal I took, and in Ecbatana I sold for 3½ shekels of silver to a man whom I know not. Further I say not. Let Addar and Nergal, the great gods, judge me.'

"Witness:

Nebo-sum-iddina scribe. Rimmon-ismi, judge
Istar-dan-iddina, judge. Bel-Kharran-sadu scribe. Nimmitti-Adar, merchant.

"Babylon, Marcheswan 16th, in the V. year of Nebuchadnezzar, King of Babylon."

This tablet, which is commonly called the tablet of confession, is in the British Museum, but most of the details have been obtained from the three long inscriptions in the Louvre, copies only of which are in the British National collection. It is curious to note that the scribes in drawing up the reports have been specially careful to give all the details which led up to the arrest of the culprit, but have left us in total ignorance as to what sentence was passed upon the criminal. It is probable that, as he cut off the head of his victim, he was decapitated, for according to Babylonian law a man charged with murder was nearly always served in the same manner as his victim. In the tablet of confession we are told that for magical purposes he roasted the hand of the man in the city of Uruk. Now this Uruk is the same as Erech in Gen. x. 10, and was celebrated in ancient times for the number of magicians and sorcerers who had taken up their habitation there. Some time in the reign of Esarhaddon, King of Assyria, there was a terrible massacre of these men in this city, and we are informed, in an inscription of this king, that "in the city of Erech blood like water is flowing." What form of magic the murderer intended to practise we are not told, but it is probable that it was some form of necromancy, in which art the early Babylonians, and after them the later Chaldeans, were past masters.

The murderer appears to have confessed on his own account and without the aid of torture, as was usual in those times.

From other inscriptions we learn that in order to trace a murderer resource was often had to divination taken mostly from the flight of birds. The bird especially selected for this purpose was the swallow, but for what reason we are not told. The method appears to have been very simple. The bird was taken to the corpse, and its beak dipped in the blood, it was then handed to a magician, who said certain words over it and allowed it to fly away. The bystanders observed the direction in which the bird flew and pretended that that was the way or the direction in which the murderer had made good his escape. This method was employed to trace the murderer, or, rather, as it turned out afterwards, the murderess of Assurbanipal, the last but one of the Assyrian kings, with the details of which we hope to deal in a subsequent article. In cases where a strongly suspected person had been caught, or even the murderer in the act, but would not confess, the aid of Irishkigal or the goddess of the underworld, was invoked. This was done by taking the person into the shrine of the goddess nearest the place where the murder was committed, and then, by putting him through various forms of torture, he usually confessed. In Assyria, which at the time of which we are writing was a province of Babylonia, a person convicted of murder was generally punished by being impaled at, or near, the spot where the crime was committed. The relatives of such persons were banished from the country, but those who were in government employ were degraded to the rank of slaves.

A

Romance of the Morgue

MURDER OF SIGNORA BIANCA AND SUICIDE OF HER LOVER.

"Joy comes and goes, hope ebbs and flows
Like the wave;
Change doth unknit the tranquil strength of man.
Love lends a little grace,
A few sad smiles; and then
Both are laid in one cold place,
In the grave."

—MATTHEW ARNOLD, "A Question."

PART I.

IN the first issue of "Famous Crimes" we gave a graphic description of the celebrated Morgue of Paris, one of the "gay city's" "lions," and quite as well known to visitors to the French capital as the Cathedral of Notre Dame, the Arc de Triomphe, or the Louvre. Since then we have had occasion to refer to this famous receptacle of the unclaimed dead. Could the whitewashed walls of this death-receiving cell but speak, what tales could they unfold! Many writers—Victor Hugo, to wit—have flung the mantle of romance over the famous La Morgue, and yet there must be thousands of true stories associated with this old institution, vibrating with thrilling interest, which will never be told.

The Morgue, indeed, possesses a constantly recurring and perpetually varying story, introducing daily new scenery, new actors, and new passions. It is true that the dead play the leading parts; but they are greatly supported by the living in the variety of feeling—of fear, of guilt, or of suffering. The Morgue, that grave without the coffin, where a section of lifeless humanity takes its sleep without the shroud, affords a biograph of dead pictures, a panorama of horror.

How unlike all institutions of Paris is La Morgue! All of the others have their histories written: the Cathedral, the Palais de Justice, the Louvre, the Tuileries, and the prisons have their own stories to tell, which have been repeated throughout the world. But La Morgue is different—only an occasional page of its history is plucked from its records to be published, and most of the tragedies of life which finish the last act within its walls are known but to a few; for all who enter there with inquiring looks and voice leave hope upon the threshold, seeking but for despair and death.

It is only a step from one of the busiest quarters of Paris, for the corpse-cell is but a few yards from the hurrying vehicles, laden with youth and beauty, or freighted with merchandise; from the saucy grisette and the thoughtful trader. From the bright noonday sun to the cold, still, dreary chamber of violent and premature death is but a pace. There is but quick transformation from the noisy streets in which music and laughter prevail into the quiet of the dead-house, a quiet rarely broken save by a shrill scream of tardy recognition, a groan of remorse, or a wailing sound of despair.

When first I visited Paris as a young man, and was taken into La Morgue, was some forty years ago. I must confess that I had a strange feeling, not of fear, exactly, but an awe which made me hesitate upon the threshold, and desire to turn away from the charnel house. Once inside, however, this feeling vanished, and the place absolutely had a fascination for me. There was nothing repulsive about it in the least, although no less than four bodies awaited identifica-

tion. My mind was instantly filled with imaginary stories of the lives and deaths of those pieces of cold clay before me, and I felt almost inspired. After that, whenever I went to Paris (which in those days was often) I never missed a visit to La Morgue, and have seen some strange sights and heard told many thrilling and romantic stories about the tenants of that icy chamber.

Being so frequent a visitor, it was only natural that I should become well known to the custodian, with whom I frequently conversed.

What I beheld there so far as the dead were concerned was but a shifting panorama of horror, all of which I was prepared for; but what astonished me most was that, upon nearly every occasion of my visit, I saw one man quietly walking through—not, apparently, eagerly searching for a missing one, but, like myself, present out of curiosity only. Having seen the same individual so frequently, I mentioned the fact to the custodian.

"Oh, yes," he said, "that old gentleman never misses a day. It is said that he has been in the place, sometimes twice in the twenty-four hours, always once, for the past twenty years."

My curiosity was aroused, and I determined upon devising some means whereby I could get an introduction to him. The opportunity came in a manner that I little expected, and much less desired.

I was riding in a public voiture along the Bois de Boulogne one morning, and my coachman was driving somewhat recklessly—not an uncommon thing in Paris. Just at the junction of the Allée de Longchamps with the Porte Maillot, an old gentleman became confused whilst attempting to cross the roads, and the shaft of our voiture struck him in the side and knocked him down. In an instant we pulled up, and I jumped out, as may be imagined, anxious to know if he were hurt. By the time I reached him he was standing in the centre of a small but rapidly-increasing crowd with the inevitable gendarmes, official book and pencil in hand. It was at once evident to me that the old gentleman had received nothing but a shaking, for he was himself dusting his garments briskly with his hand, whilst to all inquirers who desired to know if he were injured the only reply was, "Merci! merci!" With raised hat I begged permission to drive him to a surgeon's, or at least to his home, but he firmly refused, telling me that it was no fault of my coachman, there was nobody to blame but himself, and that I was to worry no more about the slight accident.

Here was a fix I was in! Providence had thrown me—it is true, in an unpleasant and unceremonious manner—into the acquaintanceship of the very man who had excited my curiosity, and now, through his reserve, we were to be as much strangers as ever. At the moment—I must confess it—I wished that he had been just a little bit more hurt by the accident. Yes, I was selfish enough to wish that; but only a little, mark you.

"At least you will accept my card," I said, "and permit me to call and ask after your health to-morrow. These shakings may not be felt at the moment, but the next day you may feel it badly."

With that politeness only possessed by a Frenchman, he exchanged the slip of pasteboard, and then, placing his pince-nez before his eyes, read, "——, Journalist, London." Then, extending his hand, he said, with a pleased expression, "Monsieur, I will ride with you."

IN THE BOX AS USUAL WITH THE YOUNG ENGLISHMAN.

We took our seats in the voiture and drove to a restaurant which I habitually frequented in the Palais Royal, for it was luncheon time, and I had, during our short acquaintanceship, discovered that my new friend had been a well-known journalist in his time, and that his eccentricities (and they were obviously many) had developed into a mania to record the discoveries which La Morgue revealed, as graphically as he had told of the doings of the ever-changing and brilliant life of Paris, which his pen had reported in the days when he was a courted critic and famous journalist.

But without going into details of my new acquaintance's early career, suffice it to say that we became great friends from that moment, and that I have always regarded my somewhat morbid fascination for La Morgue as the cause of my introduction to one of the most observant, intellectual, good-hearted, and polished foreigners with whom I have been brought in contact during all the many years of my Continental travels.

Our friendship grew apace, and I soon learned that his visit to La Morgue had developed into a habit with him which he could no more resist than some men could a call at their barber's or a look in at their favourite tavern at a given time of the day.

But what (as an ex-journalist) an accumulation of subjects had he gathered in all those years! And when at length our friendship grew sufficiently, and I was able to gain his confidence, he took me up to his comfortably furnished apartments upon the deuxième étage, in the Rue des Ecoles, and read his notes upon the various "studies," as he called them, made in the studio of death, La Morgue.

I select one which, I am sure, will be most interesting, and less repulsive than many which are indelibly fixed upon my mind, for there is a natural mantle of romance spread over the circumstances connected with the tragedy which, in the hands of some of our modern novelists, might even outshine Victor Hugo in his thrilling story of La Morgue. I have, at my old friend's request, kept in the background the identity of several of the performers of this woful tragedy, and although my brother journalist has gone to the same bourne as the hundreds of tenants of the death-cell upon the Seine years ago, I will keep my word, and tell the romantic story without revealing the real names of the characters who played their parts in the tragedy.

It was in the May of 1826, just as Paris was filling with the fashion of the world, that amongst them arrived a handsome young Englishman. He took a splendid suite of apartments in the Place Vendôme. Although his presence attracted much attention for a time, he continued entirely unknown, not only to the circle of French society which his expensive style of living would have pointed out as that which his position would entitle him to, but even to those Englishmen who were staying in the French capital. He was, in fact, a mystery. He frequented no club, he dined at no particular "swagger" restaurant, he mingled with none who sought amusement which necessitated communication with others; but, on the other hand, he affected no seclusion, and his manner was that of complete indifference to those who were in the ordinary way brought into contact with him. That he was of good family, and rich, there could be no question, for his carriages, although plain, were of the most elegant description, without crest upon them or any mark of identification. At the Opera he had his box, also at the Français.

Although this mysterious stranger affected no mystery, the inquisitive soon began to spread strange stories about him, and he had scarcely been in Paris a week when the women declared that he must have something to conceal that he was ashamed of, or with his handsome face, fine figure, and evident fortune, he would already have around him a large circle of acquaintances drafted from the best society of Paris. A week later a little light dawned upon the affair, although it by no means cleared up the mysterious situation.

One morning his open carriage appeared in the Allée de Longchamps, in the Bois de Boulogne, and all eyes were turned upon it by those who were riding or driving. Beside him sat a magnificent woman. "Who could she be?" was the question asked by everybody who had taken an interest in the young Englishman, and they were many by this time. They all agreed that she was certainly no relation—at least, blood relation—for he was very fair, with auburn moustache and blue eyes, whilst his companion was a brunette, with hair as black as the raven's wing, and soft, brown, dreamy eyes which belong only to the sunny south.

The young society women at once came to the conclusion that she was his wife; but that was pooh-poohed by their more experienced elders, who declared there was too much devotion and attention, besides other little matters which women alone can discern, to admit of this being the case. It was obvious that she was alone with him in Paris, and, of course, that being the case, mothers and daughters made up their minds that their relations were by no means what they should be, and thanked their lucky stars that they had not been introduced to the stranger. It had certainly not been for the want of trying, as all kinds of devices, even to applications to the British Ambassador, had been exercised by them in order to become acquainted with him; all, however, without avail.

The appearance of the lady cooled their ardour somewhat. Still, there was a certain set, consisting mainly of fashionable spendthrifts and gamblers, who were very anxious (more than ever, in fact) to get an introduction to the mysterious couple. Their intention was to get the Englishman into their toils through the medium of hazard or rouge-et-noir.

Months rolled on, and the season was well-nigh over, and the mystery as to the handsome couple continued. All that could be discovered was that the gentleman had come direct from Venice to Paris. This, and this alone, could anyone elicit from the servants. Nothing could be more regular than the habits of the two foreigners. They were always in each other's company; in their box every evening at one or the other of the theatres, riding or driving in the Bois de Boulogne, strolling through the woods of Meudon, or wandering together through the beautiful grounds at Versailles. Everything went on smoothly, and the people of society who remained in Paris began to lose interest in them, giving up all their efforts to solve the problem as to who they were as a hopeless task.

Towards the autumn a well-known marquis, an old gentleman in the highest circle of French society, returned to Paris from his château in the Lower Alps. He had been greatly missed during the season, for he had always taken a prominent lead in Parisian society. The reason for his long absence was that he had taken to himself a second wife, a young and beautiful girl of eighteen, the old marquis being quite seventy years of age. Their return from the honeymoon was the lady's first appearance in social circles, and society was naturally on the tip-toe of expectation to see what the fair young marchioness was like. Until the moment of her arrival in Paris, too, nobody had the slightest idea as to who the lady was, the general opinion being that some pretty little adventuress had captivated the old marquis for his money. They were all wrong, however, for his beautiful young bride turned out to be the daughter and only child of a French count, an old friend of the marquis's, who had years before been banished from France, and who had refused when pardoned to return to the capital.

This was a delightful surprise to society, and the young marchioness became the reigning beauty of the city. It was undoubtedly a case of May and December, and many were the conjectures as to how smoothly their matrimonial life would run in Paris, above all places, with such disparity of age. There were many bets, indeed, made to heavy amounts, as to the length of time, according to the odds, that this young, beautiful, and rich young wife would remain faithful to her withered, decrepit, doting old marquis. Nevertheless, their union was looked upon by the aristocracy of Paris as another delightful page suddenly opened to them, for the old man, who was immensely rich, spent his money lavishly to please his bride, and there were balls, receptions, banquets given, and, indeed, within his wide circle it was one whirl of pleasure and excitement.

Needless to say that the young marchioness did not love the man she had married. It was quite a union of convenience, made by her father with his friend, so the burning question of the moment was who would be the lucky or unlucky man who would capture her heart.

My old friend, the journalist of the Morgue, was at this time in the front rank of his profession, and had the entrée to the first society of Paris. And here I may mention that in those times a journalist connected with a leading paper in France was a man much privileged, for the French people, and especially those of high degree, loved to have their doings recorded more then than even now. So my friend was in possession of many intrigues, scandals, love affairs, and even crimes, committed in the highest society, many of which were never published to the world, or were at least smothered to an extent—according to the will of the few privileged journalists or the wish of those who were rich and had a mind to avoid publicity. It was not exactly blackmail on either side, but it was quite certain that in those days it was to a journalist's interest to be silent on occasions if he wished to preserve the privileges accorded him in the midst of Parisian high society.

But to continue. It was quite evident to my friend, who was invited to all the rounds of extravagant pleasures indulged in by the marquis, and who duly reported them in glowing words in the Press, that there was not an atom of affection on the part of the young wife for her aged husband. And could it be wondered at? She had been without notice summoned to meet her father in the convent parlour where she was receiving her education, and quietly informed that she was, within a month, to become the wife of the old man. Girl like, her only feeling was one of delight that she should so unexpectedly be freed from the sombre walls of her prison school and exchange the depressing society of the nuns for the brilliant life of Paris. She was ready to enter the vortex. Events were shaping rapidly, unknown to all the actors who were at this time playing their parts in what was to develop into first melodrama, and then tragedy.

On one autumn night in 1826 the Théâtre Français was crowded with a brilliant audience, and all parts of the house were packed, Mdlle. Mars, who, as an actress, was the rage at this time, being at the zenith of her fame. She was about to make a first appearance as heroine of a drama which had been specially written for her, and which was said by the critics who had attended rehearsal would afford an opportunity of displaying the powers of the great actress like no

other play had done before. Mdlle. Mars (the Sarah Bernhardt of the day) consequently drew all Paris to witness this performance, and it will be necessary for my readers to be present with them in fancy in order to follow this story. In the theatre are two boxes facing each other to whose occupants our attention must be called. And here let me quote my late friend's words in his description of one: "A magnificent woman, with eyes like midnight when the storm-cloud sleeps; her hair of the deepest black, swept smoothly back from such a brow as might have become a Cleopatra, braided behind into a knot which seemed too weighty for the small and delicate head on which it grew. Her complexion of that clear, rich brown, through which the blood rushes in a tide of crimson; her lip curved like the bow of an archer; her teeth glittering from excess of whiteness. Her lofty figure, full, and rounded into that perfect outline which betrays that girlhood has departed, and is replaced by the summertide of beauty; while the arm, which, partially veiled by a drapery of rich black lace, rests upon the crimson cushion of the box, is of such exquisite symmetry and grace that it almost beguiles the eyes of the spectators from the flashing face above it. Though habited entirely in black, the jewels which she wears renders her costume somewhat too costly even for a Parisian theatre; and yet they so well become the stateliness of her beauty that none could wish them away."

There, now! That is a specimen of the writing of a Parisian society journalist of seventy-five years ago. It is a perfect word-painted picture of Signora Bianca, who has created so much curiosity in Paris, and who is in the box, as usual, with the young Englishman.

And now, turn your eyes to the box facing this, one which is also demanding a huge share of the attention of the house between the acts. This is what you see: A fair young girl, so young and so fair that neither time nor sorrow has written a single line upon her snowy forehead. Her long, auburn hair fall in ringlets like links of gold over her brow and face; her large blue eyes, which deepen into purple as she laughs and half closes them, are fringed along both lids with long, dark lashes—a rare beauty that gives to the eye in moments of repose a charm which Gainsborough and Reynolds loved to behold. She is simply dressed in white, with a bouquet of roses in her girdle, which she puts to shame by the brilliant glow of her smooth and rounded cheek.

Another word-portrait. What a contrast is the young marchioness (for it is she) to the beauty in the box opposite! But as she sits and smiles at the old gentleman with laced cravat and powdered head who pays such homage to her, the opera-glasses are swept from one box to the other, and it is quite a question who comes in for the greatest amount of observation—Signora Bianca, the marchioness, or Mdlle. Mars, the actress.

And now, having called your attention to these conspicuous occupants of the boxes at the Théâtre Français, I must ask you to descend (once again in fancy) to the pit. Like all parts of the house, it is crowded. They have settled down now, but as the seats were taken the arena of the theatre resembled a sea of human billows—heaving, jostling, and pressing one over the other, until the whole place became closely packed.

Amongst those who have been struggling to get forward seats are three men. One is remarkable for his sallow complexion, dark, piercing eyes, and black hair and moustache. He has a fine head, but a look of fierceness which makes him almost repulsive. He speaks French to his companions with a soft but decidedly foreign accent, and one need only listen to a few words to tell that he is an Italian. His two companions are a villainous-looking pair, and are evidently out of their element, and certainly unaccustomed to the costumes they are wearing. Behind them, some two seats away, is a clean-shaven individual, who would pass well for a shopkeeper in a second-rate street of the French capital. If you think so, you are deceived, for he is one of the ablest detectives in the Parisian force. He is not there to enjoy the magnificent performance of Mdlle. Mars, nor is he there to gaze at the brilliant scene presented in the auditorium. He keeps his keen grey eyes fixed upon the three men in front of him, with an occasional glance at the box which contains the Englishman and the beautiful Italian. The three men are evidently being "shadowed."

And so the drama progresses, and Mdlle. Mars is greeted with rapturous applause. Everybody in the house is carried away by the great actress's performance, save those men in the pit and the beautiful Italian and her companion. At first the latter pair have been as riveted to the play as all others, but after the interval at the first act something has occurred which has evidently made a discord. There are two present only who have noticed it—one the Italian in the pit, the other the detective behind him. The latter's quick perception has satisfied him as to the cause. The Englishman, who has been little absorbed in the acting, has been restless, and when the curtain falls upon the act he sweeps the auditorium with his glasses until they are directed to the box facing them, where the focus lingers a moment, wanders away, only to return again and again. In spite of the nonchalance affected, his beautiful companion detects the movements, and the keen eye of the detective notes a flush over the face of the dark beauty, a bite of the lips, a smile with the dash of a sneer in it, and the two exchange a few hurried words, and are then silent for the rest of the evening. The brunette's jealousy is aroused. She thinks she has found a rival in the fair girl, and her hot Italian blood rushes through her veins.

"There must be no hesitation."

The entertainment is over. The carriages, with their prancing pairs, take away from the front of the house the cloaked and jewelled beauties and their cavaliers. The pittites stream out, the clean-shaven watchful observer still in measurable distance from the Italian and his two companions. He follows them until they get to the corner of the Rue St. Eloi, one of the most notorious and dangerous streets in the ill-famed cité, where they stop, and the Italian, in his broken French, says:

"Remember it is the man you must look to, and act quickly when you get the message. I will see to the woman. But, as you value your reward and safety, there must be no hesitation when the time comes. Good night."

The detective passed on, but he had heard every word of the conversation.

TO BE CONCLUDED.

THE ROMANCE OF A CHISEL AND A BULLET.

Thomas Orrock.

How a scratched inscription led to the detection of a Murderer.

"Blow not a word away
Till I have found each letter in the letter,
Except mine own name; that some whirlwind bear
Unto a ragged, fearful-hanging rock . . .
Lo, here in one line is his name, twice writ."
—"Two Gentlemen of Verona," Act I., Sc. 2.

ONE would have thought that the connection between religion and crime was very slight, and that a man must needs be a very hardened criminal who would make the exercise of religion a cloak for his evil deeds. True, Charles Peace pretended to be a religious man, and if the dying utterances of most murderers are to be believed, they suddenly are "converted," but in Peace's case the man's mind, criminal to the uttermost degree, still was inclined to piety, where such piety did not prevent him from following the trade which he had selected, for the notorious Charley regarded burglary, with incidental murders, as a business pure and simple. With murderers and similar miscreants their piety only dates from the time of their conviction.

Here we have a singular case, which has several features of great interest in it for the student of mankind, as well as for the criminologist.

On December 1, 1882, a Friday, a religious service was being held in a Nonconformist chapel, situated in Ashwin Street, Dalston. The congregation was scanty, and amid the worshippers was a young man, short, sturdily built, and quietly dressed. He attracted little attention, and appeared devout throughout the long prayers and still longer addresses.

Once or twice he seemed restless; possibly the heat of the little Bethel was too much for him, and as he was near to a window he strove to purify the air by opening a window. Then he sat quiet again for a short time, and later the draught was too strong, and he closed the window again, but accidentally (?) did not remember to fasten the catch. The service over, the congregation dispersed, and the building was closed for the night.

The duties of the police are not always pleasant, and there are few of our gallant force who like night duty, especially those who have not been long in the service. At the Dalston police-station at half-past nine the officers who were detailed for that particular duty paraded, and when the sergeant had seen that they were all properly equipped they were marched out to commence the lonely eight hours' tramp through the deserted streets, trusting fervently that they would find them deserted, or that, at the least, only peaceable citizens might be abroad.

One of the constables so paraded was P.C. Cole, of the N Division. Cole was a young man of about twenty-seven years of age. He had been married comparatively recently, and had not long been in the police force. He was zealous and fearless, but, for all that, he did not relish his nightly prowl. Not that he was afraid of any man living, but the awful loneliness of that patrol irritated him, and he—an as exception—hoped that some sort of diversion might break the monotony of the night.

He marched to his beat, and commenced the mechanical round of trying doors and seeing that windows were fastened, while he thought of his wife, alone in her little house, longing for the end of the month to come, when he would return to day work again.

Towards ten o'clock he had reached Ashwin Street, and slowly worked his way down that thoroughfare, making sure that all was secure for the night. At last he reached the little chapel of which we have spoken.

By the side of this place of worship there is a small recess, which could be reached by anybody who cared to climb over a low wall, and in this recess was a window leading into the building.

For some time Cole had had a suspicion that if at any time burglars wished to enter the chapel, that would be the very spot which they would select, and therefore he made a practice of examining the recess every time he passed it, whether on day or night duty.

Following his custom, he walked up to the wall, and turned his lamp on. To his astonishment, he saw there a man, who was obviously attempting to get into the chapel. Reaching over the wall, he grabbed the offender by the collar, and dragged him into the road. Then he reached for his whistle to give the alarm, but the miscreant closed with him. A fierce struggle ensued. The next instant a pistol shot rang out on the night air, followed by a second, a third, and a fourth. Then all was still.

Just at this juncture a Mrs. Shepherd, who lived at 3, Ashwin Street, left her house to go to Dalston Railway Station, where she was employed in the refreshment-room. As she reached the chapel she saw two men struggling, and heard two shots fired. Alarmed, she ran back to her home and locked herself in, and just as she had done so the third report reached her.

About the same time as Mrs. Shepherd left her dwelling Miss Bucknell came out of Reeves Cottages, which are close to Ashwin Street, to fetch some beer for her father's supper. She heard the three shots, and also saw a couple of men struggling, one of whom she noticed was a constable. She was a little scared, but her presence of mind did not forsake her, and when she heard and saw the flash from the fourth shot she ran off into Dalston Lane to get assistance from any other policemen whom she might meet. At the same time her father, hearing the reports and feeling alarmed about his daughter, ran out into Ashwin Street, and was passed by a man who was running away as fast as his legs could carry him. The night was too dark for him to distinguish the fugitive's features.

Miss Bucknell was soon successful in her search, and several constables came into the street. When they reached Paternoster's Stables they found a figure lying on the ground. A lantern turned on it showed that it was the prostrate form of P.C. Cole, stretched in the gutter, his helmet lying some

distance from him, and himself bleeding from a wound behind the left ear.

There was no time to be lost in fetching an ambulance if the life of their comrade was to be saved, so three constables tenderly lifted him up and carried him to the German Hospital, which was close by, while the others examined the ground.

As soon as Cole was admitted the surgeons were forced to announce that a few minutes, or possibly an hour, would see the end of the plucky young officer's life; and they were right, for he lingered for a short while, and then died, without regaining consciousness.

The search party left behind took the constable's helmet, and also picked up a hard black felt hat, which was lying close to the scene of the struggle. By the marks in the road they were able to locate the exact position where the fight began, and this led them to search the recess in the wall of the chapel, where they found a 1¼in. chisel, a cold chisel, and a wedge of the pattern used by cabinetmakers, and a lantern. These they took to the station, and delivered over to the officer in charge. They had been there but a short time when the news of their poor comrade's death was brought in, and a constable was at once despatched to the hospital to take possession of the murdered man's clothing.

Next morning a close scrutiny of the scene of the outrage showed that evidently the first three shots had not taken effect, for a bullet mark was found on the brickwork of No. 3, Ashwin Street, a second on the gutter pipe between Nos. 3 and 5, and when the truncheon of the dead policeman was examined the third bullet fell out of the leathern case which the police wore in those days. The window of the chapel leading to the recess outside was found to be unfastened.

THE CHISEL WHICH GAVE THE CLUE

The scratched name is hardly visible on the original; we have made it rather plainer in our photograph.—EDITOR F. C.

The coroner and a jury sat on the body of poor Constable Cole, and all the evidence which could be procured was what we have just given to our readers. A verdict of "Wilful murder against some person or persons unknown" was returned, and Cole was laid in his grave, followed by a whole posse of the police and all the principal residents of the district, for even in the short time he had been in the force he had gained the respect of all with whom he had come in contact.

Detectives scoured London from boundary to boundary, but they could obtain no further evidence of any sort, so the whole tragedy was shelved, ticketed "Murderer unknown," and after the public and the Press had stigmatised the police force as inefficient, and had made sarcastic remarks concerning the inability of detectives to arrest a man of whom they had not got a fair description, the public forgot the crime, being occupied with other sensations.

But though the public abused the police, those worthies had a clue which they were not anxious to give to the public, lest the murderer should profit thereby. Certainly the description of a man who had been seen in the neighbourhood of the tragedy was circulated, and a reward, at first a hundred pounds, and later two hundred, was published throughout the kingdom, but that was not the fact that the authorities relied on. However, as the world had to wait for information for a short time, we may as well change the scene, and, casting back some six months or so, have a look at some persons who dwelt in a humble rank of life.

It was somewhere about the end of September, 1882, that in one of the low public-houses of the north-east of London three young men might be seen drinking "four ale" in the public bar. They were dressed in the cheap, but nasty, style of garment so much affected by the vicious artisan class—a class which then formed a mixture between the hooligan of to-day and the professional burglar.

"See 'ere, Morty," said one; "what do you think o' this for a popper?". And a page of the "Exchange and Mart" was handed over to the fellow crook.

"Morty"—or, to give him his proper name, Mortimer—read the paragraph pointed out several times, and then remarked, "Well, it don't seem bad. Might come in 'andy at times." The advertisement referred to described a revolver which was for sale at the house of a gentleman living at 21, Vicarage Road, Park Lane, Tottenham.

The worthy pair then further discussed the utility of the weapon and at last it was decided that "Ok," or Mr. Orrock, should purchase the article; so to be sure that they were not forestalled by any other prospective buyer the pair set out, accompanied by the third man, named Miles, for Tottenham, and interviewed the owner of the desired pistol.

The man to whom it belonged being out, his wife apparently had no idea of the class of person to whom she was selling a deadly weapon, and at once exhibited the article. After a little haggling, the coveted instrument changed hands for the sum of ten shillings, but there is no doubt that had the original owner had the least inkling of the purpose to which it was to be put, ten pounds would not have bought it.

The revolver was of the Lefaucheux pattern, pin fire, and heavily plated with nickel silver. The possession of this new toy prompted Orrock and his friends to go to Tottenham Marshes and try it to see how it worked, and whether it was accurate. So they walked out there, and, finding a fairly lonely spot, the weapon was loaded, and Orrock fired four or five shots at a tree, and found that he was a fairly decent marksman at objects about that size. Then he stuck the cherished pistol into his pocket, and went off home with his pal "Morty."

Mortimer did not see much of the owner of the pistol for some weeks, but on December 1 he called on him, in company with Miles, and later another member of the "semi-hooligan gang," named Evans, joined them at Mortimer's house, and stopped there till about five o'clock.

Orrock went off with the other two men, and Mortimer stayed at home. He did not catch a glimpse of his visitor for several months after that, and when he did he learnt several things which astonished him.

But, in the meantime, what had Orrock and Evans and Miles been doing? Well, when they left Mortimer's rooms they went up to Dalston, where Orrock said that he had his eye on a certain chapel, where he felt sure there was a valuable quantity of communion plate stored, and that as soon as he could manage it he would get inside and take it away. "There is no time like the present," suggested his companions; so the two, Miles and Evans, went off to a public-house, and Orrocks, possessed with a craving for religion, went into the chapel and attended the Friday night service.

His prayers over, he rejoined his companions at the Railway Tavern, and told them that he had got a chisel or two with him, and also that he had managed to undo the catch of a convenient window. "It's all as easy as possible. You two wait here till I get the swag," he commented.

"But what about a lamp?" asked Evans.

"Oh, that's easily got!" rejoined Orrock; and out he went with Miles and bought a cheap lantern for eightpence. Then he felt fairly well equipped, and started off again to reconnoitre the prospective "mark."

As he was strolling about the vicinity of the chapel he noticed a constable looking at him rather carefully, and

further saw that his enemy was in company with a detective named Brockwell, whom he knew fairly well by sight. That rather satisfied him, for he felt certain that neither of those would be on duty after ten o'clock that evening, and if he postponed his operations till then all would be right. To kill time he walked round the district a little till it got nearly time to commence "work," and then returned to the chapel.

Waiting till no one was about, he jumped over the low wall, deposited his tools, with the lamp, beneath it, and started to open the window.

Just as he was ready to enter he heard a footstep; so he hurriedly closed the window and crouched below the wall, trusting that the stranger who was approaching would pass by without noticing him. At the same time, he thought it prudent to get his revolver in readiness, in case of accidents. He had only finished loading it, and had replaced it in his pocket, when he felt a sudden jerk, and the next instant he was hauled over the wall into the road.

Like a tiger cat he turned on his assailant, whom he knew to be a policeman from the blinding flash of light which had accompanied his extraction from his shelter. With a savage curse he gripped him by the throat, and tried to force him to release him, kicking at the policeman's legs and wriggling

STRUGGLING, THE PAIR GOT INTO THE ROAD, AND AGAIN THE BURGLAR FIRED.

as actively as he could. But it was no good; P.C. Cole—for he it was—meant to stick to his man.

While the constable slid his hand down to grasp his truncheon, Orrock managed to get hold of his revolver, and the officer had to quickly raise his hand to turn aside the muzzle, which was pointing at him. The next instant there was a flash and a report, and the bullet went wide.

Struggling, the pair got into the road, and again the burglar fired, and again missed his mark. The third shot, let off at random, also did no damage, but just as the policeman closed with him, getting his arm round his neck, Orrock managed to direct the deadly weapon towards his assailant's ear, and fired a fourth time.

There was a groan, and slowly the constable's grasp relinquished its hold, and he slid on to the ground.

Orrock fled into the darkness, forgetting to recover his hat, which had fallen off in the struggle

The rest we know—the arrival of the police, the finding of the body—but we have also to deal with the other men who were waiting for their leader. Evans ran out, and, as soon as the constables saw that their comrade was badly wounded, proposed to rush off for a doctor. His offer was not accepted, but the sergeant to whom he made the proposition saw his face and remembered it.

Thus the gang managed to escape, but later, when they saw that a reward had been offered for the apprehension of a man who, they felt sure—nay, knew—was their comrade Orrock, they were too loyal to give any information, much as they were tempted by the bribe. This loyalty among criminals is not at all rare, for it proceeds from two causes: first, the man who would slay another would not be at all averse to killing a second, if it was advisable to do so; and, secondly, every other criminal would point the finger of scorn at "the nark," as informers are called. Still, many men will risk a good deal for two hundred pounds, and the police were greatly astonished when they found that their reward produced no fruit.

We have said that the police issued bills offering a reward of one hundred pounds, subsequently increased to two hundred, for the capture of the murderer. How did they get the necessary information to enable them to describe the "wanted" man? On the day after the murder P.C. Cobb and Detective Brockwell remembered that they had seen a quietly-dressed young man strolling about in the vicinity of the Ashwin Street Chapel some hour or two before the outrage took place, and argued that this person might have had an interest in lounging about in that particularly dull thoroughfare, though he had not the criminal look about him. Anyhow, it would not do any harm to find out who the person was, and to ascertain what his future movements were. If he was an innocent man it was highly probable that there would be no difficulty in finding him; but, on the other hand, if the widely-spread advertisements were not answered, then it was to be presumed that the individual in question had some motive for remaining in concealment.

From the short glance the officers had had at the man they were only able to describe him as a short man, about 5ft. 4½in. in height, wearing a dark overcoat, rather long, light trousers, and a round felt hat. As far as could be ascertained in the dark, he had a slight moustache. This was all the account of the suspected man which they could furnish, but they had other means of tracing him. The burglar's tools which were picked up in the recess of the chapel were carefully examined, and on the chisel was found the word "Rock" scratched. This was only roughly done, and was probably the work of the owner of the implement; so search had to be made for the shop where the chisel was purchased and for the last owner of it. This was what really took the time, for shop after shop was visited with no result. Lest the precious chisel should suffer by too much handling, Inspector Glass had a photograph of it taken for exhibition.

About the commencement of 1884 a young man, in conversation, casually mentioned to the wife of Mr. Preston, who kept a cutlery shop in Old Street Road, that it was curious that the murderer of the policeman at Dalston had never been

found, and added that the chisel found bore the name "Rock."

"Why, we used to have a customer whose tools were sometimes scratched in that way!"

"What on earth for?" was the inquiry.

"Well, to enable us to give the right tools back to their owners when they have been brought in for sharpening, we always scratch their names on them," answered Mrs. Preston.

This appeared to be an important clue, and the police were immediately put in communication with Mr. Preston, and the chisel exhibited. Then it was shown that the word had originally been "Orrock," but that subsequent markings had transformed the word into "Rock."

This gave the authorities something to work upon, and they at once looked for Orrock. To find him did not take very long, for he was at that moment resting in Coldbath Fields Prison, where he was serving a short term for house-breaking.

Thither Cobb and Brockwell went, and were able to recognise the man, when placed among some half-dozen others in plain clothes. Still, nothing was said for the moment, but search was made for the acquaintances of the prisoner. Instructions were sent round for the man who had offered to fetch a policeman on the night of the crime to be arrested, and before long he was found. From him it was learnt—indirectly, it must be admitted—that he (Evans), together with Orrock and a man named Miles, formed a gang. Also it was said that they knew another person called Mortimer, who had been very friendly with Orrock at one time.

Finding that there was not much more information to be got from Evans, he was allowed to go, but was carefully watched, lest he should abscond. Mortimer was, curiously enough, confined at that time in the same prison as Orrock, serving a term of twelve months' hard labour for attempting to break into a warehouse, and he was known to have been associated with Orrock in one or two small crimes.

Off to the Coldbath Fields Gaol went P.C. Cobb again, and soon was admitted into Mortimer's cell. He told Mortimer what he had learnt, and assured him that the game was up. Still, Mortimer was disinclined to give the requisite information, but when he was told that if he did not do so he would also be charged with the murder he became more communicative, and recounted the purchase of the revolver. Asked by the officer if he thought he could recognise the tree on Tottenham Marshes which had been used as a target, he said that he thought he could; he also added that Miles knew the spot.

Accordingly, next day he was taken, in charge of a warder and the constable, together with Miles, to the Marshes, and, after a little looking round, pointed out the place where they had stood when firing. The policeman examined the trunk of the trees round, and in the bark of one found scars of old bullet marks, which time had almost obliterated. Mortimer and Miles then declared that that was the very tree which had been shot at, and the officer pursued his investigations, and at last managed to dig out a bullet, which he took back to the police-station. Mortimer was then sent back to durance, congratulating himself on the day's outing, which had helped to break the monotony of the fearful prison routine.

From this point the police were certain that they had at last identified the murderer of their comrade; so a writ of "Habeas Corpus" was asked for in the Court of Queen's Bench—for when a prisoner is undergoing one sentence he cannot be produced to take his trial for another offence without this formality—and on the evidence being shown to the presiding judge, the necessary document was issued, ordering the Governor of Coldbath Fields Prison to produce the body of Thomas Henry Orrock at Bow Street Police Court. This was done on August 21, 1884, and the prisoner was at length formally charged with murder.

The proceedings on the first day were very brief, and a remand till the following sitting was ordered, when evidence was offered for the Crown by Mr. Poland, who was instructed by Mr. Pollard. A further remand of a week was asked for, and on August 28 Orrock, who reserved his defence, was committed to take his trial on the capital charge at the next sessions of the Central Criminal Court.

On September 19 the case was called on for hearing before the renowned Justice Hawkins, now Lord Brampton, and Orrock was placed in the dock, clad in his garb as a convict. He swaggered into the court in a jaunty manner, exchanging winks with those of his former associates whom he recognised near him. When asked to plead he said that he was not guilty, and a jury was sworn to try the case.

The prosecution was represented by Mr. Poland and Mr. Montagu Williams, both of whom subsequently attained high positions in their profession; while the prisoner was defended by Mr. Forrest Fulton, now the Recorder for London, and Mr. Orchard.

The chief interest in the case was centred round the chisel, for it was generally recognised that on that harmless-looking weapon the life of the accused hung.

After the counsel had outlined the case, Mr. Pottinger was called to prove that Orrock was by trade a cabinetmaker, and had worked for him for some little time. While there it was shown that he was in the habit of taking his tools to be ground at the shop of Mr. Preston, who subsequently deposed to the word "Rock" being scratched on the tool exhibited, and said that it stood for Orrock. That identified the accused with the possessor of the chisel, but it had yet to be proved that he was in Dalston on the fatal night, that he possessed burglarious instruments on that evening, and that he was armed.

To effect this Miles was put in the witness-box. His testimony was brief, but most convincing. He swore that Orrock had told him that he intended to break into the chapel to steal the plate, and that he had gone into the building while service was going on and unlatched a window. Orrock and Miles went to Dalston, together with Evans, and the two latter waited in the Railway Tavern while their comrade "did the job." The witness knew that Orrock had chisels and other tools with him, and saw him go into a shop and pur-

Managed to dig out a bullet.

chase a lamp for eightpence. The lantern produced was the one which had been bought. After he heard the shots he left the public-house, and later met Orrock, who said to him, "Why didn't you pick up my hat?" The hat shown in court was the hat which the prisoner had been wearing. This evidence was corroborated by Evans, who also said that he had offered to fetch a doctor when he heard that a policeman had been wounded.

Mortimer then gave his account of the purchase of the revolver, and of the trial of it on Tottenham Marshes. He saw Miles and Orrock shortly before the murder took place, but did not go to Dalston with them. After the tragedy he did not see Orrock for several months, but when next he met him the prisoner asked him if he had heard anything about the murder. Witness said, "Yes, I have."

Then Orrock said, "Would you be surprised to know that I did it?" and Mortimer answered:

"I shouldn't think you would do such a thing." To this the accused replied:

"If I have done it, and they can prove it, I am willing to stand the consequences." Orrock then went away from him.

The last witness of importance was P.C. Cobb, of the N Division, Metropolitan Police. He gave the court an account of the meeting with the prisoner on the night of the murder, and also of his journey to Tottenham Marshes to inspect the tree which had been fired at. He produced the bullet which he had cut out of the bark, and also the ones taken

from the dead constable's head and from his truncheon-case. All were identical.

When the judge took his seat on the following day the counsel for the Crown summed up, and the advocate for the prisoner addressed the court on Orrock's behalf, but nothing like a defence could be attempted, the only theory put forward being that the prisoner did not intend to kill the policeman, but only to frighten him away. Mr. Justice Hawkins then recounted the chief points to the jury, pointing out that the defence was not strong. After the learned judge's discourse the twelve jurors only took twenty minutes to decide that Orrock was guilty, and he was brought forward to receive sentence. In reply to the usual question if he had anything to say, he merely remarked that he was not guilty. Then he was doomed to die in the usual form.

Taken back to Newgate, he was placed in the condemned cell, and attended by the Rev. Mr. Duffield, the chaplain. At first he was hardened, but eventually admitted that his sentence was a just one. In the cell adjoining his there was another man cast for death—one Harris, who had murdered his wife—and the authorities arranged that the two men should go to the scaffold at the same time.

When the fatal morning—October 6, 1884—dawned the chaplain divided his time between the two criminals, and they both expressed their gratitude to him. At half-past seven the sheriffs arrived and saw both convicts. Berry was then introduced into Orrock's cell first, and pinioned him. He was then led out, and placed on the scaffold, with the rope around his neck, before his partner in death was brought forward. The short delay while he stood there waiting for Harris to be made ready for his doom must have seemed ages to the poor criminal.

At last all was prepared, and the hangman pulled the lever which released the drop. Orrock and Harris both died instantaneously, a drop of 7ft. 5in. sufficing to fracture the neck. Thus the slaying of Constable Cole was avenged, and the lawless band to which the subject of this memoir belonged had the lesson impressed on them that justice may be slow, but it is exceedingly sure.

He Trusted in the Lord.

ALEXANDER CRUDEN, the hard-working compiler of the Concordance to the Bible, suddenly went out of his mind, and was confined in a lunatic asylum. On being released he brought an action against his sister and the medical men for false imprisonment. At the trial a dissenting minister, named Mr. Bradbury, was a witness, and in proof of the insanity of the plaintiff, related to the court that on one occasion the witness was giving a supper to his friends, when Mr. Cruden entered, and, seeing a smoking turkey, his favourite dish, at the end of the table, he rushed towards it, and, plunging his hands into the gravy, washed his face and head with it, to the great horror and mortification of the whole of the assembled guests. As the witness finished his evidence the plaintiff jumped up in court and said, "My lord, don't believe a word that man says! He is very well in the pulpit at Pinners' Hall, but he is not a proper evidence in this court." The jury, however, found a verdict for the defendants. On hearing this the plaintiff exclaimed: "I trust in God!" Whereupon the Chief Justice remarked: "I wish you had trusted more in God and not have come here."

Seeing and Being Seen.

A BAILIFF had long tried to arrest a Quaker, but had been unable to do so owing to the extraordinary precautions taken by the worthy Friend to secure himself from capture. At length the bailiff resolved on the expedient of disguising himself as a Quaker, and thus gaining access to the interior of the house of the man for whose arrest he had so long held the warrant. He accordingly knocked at the door, duly disguised, asked if Friend Hezekiah was at home, and if so, could he see him. The woman who opened the door said to him: "Walk in, friend, and he shall see thee." The bailiff was so delighted at the success of his scheme that he could scarcely conceal his gratification, but, recollecting himself, he walked gravely into the hall, and seated himself on a chair which the woman brought for him. After waiting for upwards of an hour, and not having seen or heard anything of Friend Hezekiah, or anybody else, he rang the bell, and when the same woman who opened the door to him came in reply, he said to her, "Thou promised me that I should see Friend Hezekiah, but I have not yet seen him." "No, friend," replied the woman; "I promised he should see thee. He hath seen thee, but he doth not like thee; therefore thou needest not tarry longer."

'Our Lady of Pain.'

"Spirit of rain and fire
Ever desiring, ever desired in vain,
Mother of vain desire."
—A. SYMONS.

VALENTINE first met her in Valencia. He watched her idly at first as she bent over the old flower and fruit woman and bargained for dainties.

Valentine in his languid manner looked at the girl lazily through his cigar smoke, and said to himself, "By all the saints, that girl has a fine carriage!" When she turned round smiling, and he saw her face fully, he determined at once to make her acquaintance. Although the heat was intense to oppressiveness, Valentine showed, for him, a remarkable energy in following the beautiful girl to her home. Once she turned round, and, seeing Valentine, again smiled and blushed.

Valentine thought she looked divine, with her red lips parted and the crimson blood staining her creamy cheeks and neck. He hastened to come up with her, and made her his very best bow.

"Child," said he, "let me help you to carry those parcels."

"I thank you, sir, but they are not heavy." As she said this she blushed again, and smiled sweetly. It seemed to Valentine that she grew more beautiful every moment. He walked on by her side.

"Honour me with at least one parcel," he said insinuatingly.

"Well, if you will have it so, I suppose it would not be polite to refuse."

"No, certainly not."

"Well, here is your parcel, sir; but carry it, please, very carefully."

"I will guard it with my life."

This remark of Valentine's did not provoke his lovely little companion to laughter, or occasion surprise, because both these young people were Spaniards, and it is the fashion of that country to talk in lyrical strains, and to exalt topics of mundane and general conversation to the state of whimsical fancy.

"You will guard my poor little parcel with your life! Oh, sir, I assure you it is not worth such a price!"

"It is worth more than that, child, to walk with you."

"Ah, you pay compliments!"

"Because I am in love."

"Oh, dear! With me?"

"Yes, of course; you have stolen away my heart."

"It was unintentional on my part."

Valentine sighed.

"You are cruel; you steal so many hearts that you have grown callous in practice."

This pleasant banter did not continue, because the girl suddenly stopped short outside a little white-walled cottage, the roof of which looked the colour of gold in the fierce sunlight.

"Here is my home. I must bid you farewell."

"No, no, I must see you again. Tell me your name."

"Would you really like to know it?"

"I must know it!"

"My name is Dolores—Dolores Perez."

The name thrilled him. It seemed in such perfect accord with the pale, passionate face, whose deep, languorous eyes were stirring the very depths of his being, whilst the red, wonderfully carved lips twitched in a half-mocking, half-playful smile.

"Beautiful Dolores, you have told me your name. I must tell you mine. I am Valentine Navarro."

He caught her hand and kissed its smooth pink palm. People who were passing in the street took not the slightest notice of this little exhibition. It is the custom of the country.

"Will you meet me to-night, Dolores?"

"Oh, I am afraid of you," she answered, smiling again.

"No, no! It is I who should be afraid. One might lose one's soul where there is so much beauty. But I will await you in the gardens."

"I—I will come if you really wish it."

He kissed her hand again; then she slid it away from his grasp, and ran down the little avenue of orange trees into the small white house.

"Grandmama," said she to an old withered-looking woman who sat in a high curious-looking chair, "do you know anything of the Navarros?"

"Yes, child; they have lived in Valencia some years. They have some money."

Dolores repaired to her room and made an elaborate toilet. She and her grandmother were wretchedly poor, but the girl had taste and discretion in the matter of dress, besides which her natural beauty needed little or no adornment.

That evening she met Valentine in the Valencian gardens, amongst the orange trees and glades, thick with heavy, sweet-smelling blossoms. He saw her coming towards him with a dainty mantilla crowning her luxuriant ebon tresses. Her every movement was exquisitely graceful, and yet suggested a certain slothful ease that was in itself sensual. Her body breathed allurement.

After that evening Valentine was her avowed lover.

He was a young man in a fair position, highly connected, and well known in influential circles, but from the hour of their first meeting he was the slave, body and soul, of Dolores, who was a beautiful little nobody. He never for a moment ceased to think of her, dreamt about her, worshipped her, and yet desired her. The warm blood of youth that surged in his veins would not be denied, and one day he took Dolores out of Valencia on a visit to the country.

She was but sixteen; but in Spain at that age she was a woman, and as a woman she resigned herself freely to Valentine, to ease her temporary wants and achieve her master purpose. When the morning sun found her in downy pillows she opened her eyes and smiled. She could talk aloud to herself, for Valentine was at the other end of the house smoking on the veranda. She threw the soft clothes from her, and stared with half-laughing eyes into the large mirror suspended on the opposite wall.

"Beauty, beauty, beauty," she cried; "yes, you are beautiful—there is not a flaw anywhere. See, you are like a statue, only not so cold. I am truly beautiful. I shall have great power. Men will be my slaves. Luxury and pleasure night and day, long trances of delirious enjoyment! Oh, my dear body, I owe you much!"

She slid back into the clothes, abandoned herself to a half-slumber, a state of pleasantness wherein her bodily comfort and her future visions combined to make her sleep happy.

* * * * * *

"Valentine, take me to Paris."

"Why Paris, my beloved?"

"I wish it—oh, I wish it above everything! If you love me you will do what I ask. Besides, you know I cannot stay here longer now."

It was four months after the events we have described, and Valentine was more desperately in love than ever. His family were aware of his attachment to Dolores and were doing all in their power to induce the young man to abandon his present infatuated serfdom. But love and unappeasable desire were obdurate, and Dolores, the beautiful "mother of all desire" so far as Valentine was concerned, held him in closer thraldom than ever. She expected to give birth to a child in about four months, and gave this as her reason for so ardently wishing to leave Valencia and reach the multitudinous city of Paris. With Valentine her word was law, and soon after she had expressed her wish the two set out for the French capital, the place of infinite pleasure.

The delirious state of love continued. Valentine, wholly consumed by the loveliness of his mistress, was at once tortured and delighted. He was a slave and knew it, and at times his manhood rose up within him in clamorous revolt against the emasculated condition of perpetual apprehension, dread, and doubt, into which his furious passion had led him. And yet he could not escape, and would have been unspeakably miserable had he been able to do so.

Dolores was beautiful, and by her beauty bound him in bonds that cut into his very soul and lacerated his better spirit; but she stood before him in all her pagan loveliness like some half-wild priestess of Dionysus. Dolores gave delight, Dolores gave pain; both were at once exquisite, rapturous, and fiendish, in their powers to torture. As the train steamed into Paris Dolores could have cried aloud for joy. She had reached her haven of happiness.

Valentine busied himself engaging rooms in a hotel in the Rue de Buffault, whilst Dolores sprang into a coach (there were no hansoms in 1851) and drove to a certain house in the Rue Vivienne. She had gone to see the friend of her childhood.

"Is Mademoiselle Mauri in?" she asked of the footman who opened the door. Mademoiselle Mauri was in, and, being disengaged at the moment, ran down the stairs, gave a little cry at sight of Dolores, and then fell into her dear friend's arms.

Rosa Mauri, who had graduated from being a little

"You know I cannot stay here longer."

daughter of a Madrid artisan into one of the most fashionable courtezans in Paris, soon learned Dolores's story.

"What is he like?" asked Rosa.

"Oh, Valentine; very well—he is mad about me."

"Is he rich, this Monsieur Navarro?"

"He is not poor, but I shall say good-bye. One must look to one's self."

"Exactly."

"He is my debtor, and will be always."

"I see you are——"

"It is more than tiresome."

"I don't know; I have two sons. Children are nice; one does not see much of them. You will stay in Paris now?"

"Oh, most certainly."

Valentine Navarro was in due course introduced to Dolores's great friend, Rosa Mauri. He did not approve of her as a companion for his Dolores, but was obliged to keep this to himself.

Valentine had not been in Paris more than a month when letters began to pour in from Spain, from his friends and relations, begging him to return. At the same time he thought Dolores was perceptibly cooling towards him in her demeanour.

He taxed her with it, and asked her if her love was dying.

"One cannot be a furnace always," said she, with a shrug of her shoulders.

"Our business at Valencia, I hear, is not so good as it should be," he said, turning the conversation.

"Do they want you to return?"

"Yes."

"Then you must go."

"Oh, heavens, don't say you are sick of me."

"Be sensible, you must not ruin yourself for me. I love you still."

"If I return will you return with me?"

"I? That is impossible at present—the child!"

"But afterwards?"

"We will see—we will see."

Still Valentine clung to Paris and Dolores. The letters from home became daily more urgent in their demands for his presence in Valencia and Madrid. At last he could refuse no longer; he would be obliged to revisit his home if but temporarily, whilst it was impossible for Dolores to accompany him at present, as she was almost immediately expecting to give birth to a child.

The final adieux came. Valentine, striving to be brave, broke down entirely on the long last kiss. Dolores was kinder in her demeanour than she had been for some time now. Perhaps some natural feelings of sorrow and regret at parting from her first and only lover surged up into her bosom; perhaps only a feeling of contemptuous pity for the poor creature who asked of heaven nothing so much as to be her lap-dog.

"YOU COME WITH ME OR YOU DIE!"

It need hardly be said that Valentine left Dolores in a position of comparative affluence when contrasted with her condition before she met him.

As the train bore him homeward to Spain the emotions that raged in the young man's breast were strangely mingled and confused. Sorrow for the loss of Dolores predominated, and yet he could not quell (no matter how mighty his endeavours to do so) a certain feeling of recovered freedom, a sense of licence, such as one experiences when passing from an artificially heated room into the fresh air.

Could he not forget Dolores? He had loved her, did love her now, but could not blind himself to the fact that she was selfish and self-seeking, and harboured in her bosom no wonderful love for him. Oh, if he could but forget her wild, devilish beauty that maddened the animal within him—could he but be the light-hearted, careless, good-natured fellow he had been before his peace of mind had met Nemesis in the shape of Dolores!

He would try; yes, he would try to forget her—plunge into the whirlpool of business, work, work, work, until that smiling face he loved so and hated so faded for ever from his tortured vision.

* * * * * * *

Dolores gave birth to a child, who was "put out to nurse." She was now alone in Paris; a woman wonderfully lovely, without a conscience.

Rosa Mauri, who saw with jealous eyes Dolores's powers of attraction, was shy of introducing her to her "friends," but this mattered little. Inquiries soon began to be made in high quarters as to who and what Dolores was, and the result of these inquiries was that she became installed in a handsome house, the recognised mistress of a cabinet minister. She could now drain to the dregs the mad cup of pleasure for which her soul had so long hungered; she could steep her senses in every variety of sensual luxury; she could now be happy. Happy! Could Dolores ever be happy? Oh, no; like her namesake, hymned by our greatest living poet, she must ever be (no matter how luxurious and splendid her condition in life, no matter how much she was fawned upon, flattered, loved, and adored) she must ever be

"Subtle and sterile Dolores,
Our Lady of Pain."

Yes, pain was her portion, and she knew this, and revelled in the knowledge; revelled in her power to inflict pain, to stab and lacerate souls with her alluring loveliness; in her power to experience wild, delirious, sensual pain. Pain was her happiness.

For a moment we must leave her rioting in the roses of Paris, and return to Valentine Navarro, once more in Valencia.

Valentine had tried to forget her for his material good, for his soul's good; he had slaved and prayed to obliterate her image from his mind. He failed, miserably and completely failed. Dolores was more powerful in bodily exile, more powerful in the spirit, than in the flesh. Her face, pale and passionate, with its great haunting eyes, its red, full, exquisitively-carved lips, upon which there ever glimmered that dreadful smile that seemed to lure him to destruction, was ever before him. At work, at play, asleep, it haunted him; floating in his dreams, smiling, and calling with its mysterious eyes. The face of one who was

"Ever desiring, ever desired in vain,
Mother of vain desire."

Sometimes in his dreams the face would glide to him, and the red lips would fasten upon his, and drink his being. He became on these occasions delirious. His life was one of perpetual torture, and he could bear it no longer.

He gathered together some light luggage and returned to Paris without saying a word to anyone Once in Paris he called on Dolores's old address. She had moved, and the landlady did not know her present "whereabouts."

Baffled and half-despairing, Valentine suddenly thought of Rosa Mauri.

"A gentleman to see you," said that lady's servant to her.

"A gentleman! Who is it?"

"I do not know him."

"A stranger?"

"Yes."

"Show him in."

When Rosa saw Valentine she gave a cry of surprise. He seemed twenty years older than when she had last seen him. His face was thin and emaciated, his eyes deep-sunken and wild, and his hands twitched perpetually, as if he was the victim of some nervous disease.

"Why, Monsieur Valentine in Paris!" cried Rosa.

"Yes, I returned to-day."

"But, my friend, how ill you look!"

"I am ill."

"I am sorry. Tell me about it."

"Where is she?"

"Of whom are you speaking?"

"Dolores, Dolores."

"Oh, No. 24, Rue Vivienne."

"Thank you, a thousand thanks."

He was already going, when Rosa stopped him.

"She is the mistress of Monsieur de——"

"Oh, heavens! I thought as much."

"She will not see you."

"Ask her; oh, I pray—I beseech of you—ask her to see me once more!"

"Very well, I will do you this kindness, but you must not go to the Rue Vivienne. I can tell you that now. Monsieur de —— is notoriously jealous. Perhaps she will come and see you."

"It is better so," said Valentine after a minute's thought. "I am living at No. 23, Rue St. Nicholas Autin. You will not forget?"

"Ah, no, I will remember, poor man."

The two then separated—Rosa to go as a supplicatory messenger to Dolores; Valentine to his apartments. His rooms were spacious and well furnished, but it should be mentioned that he had not taken his luggage here; but had sent it on to his friend, Monsieur Dottres, Consul-General of the Republic of Ecuador in the Rue du Sentier.

He ordered supper for two, and awaited with an anxiety and impatience that could not be disguised the appearance of Dolores. The woman downstairs heard him pacing up and down his rooms without intermission. At last a carriage rolled up the Rue St. Nicholas Autin, and stopped at No. 23.

Dolores alighted, asked if Monsieur Valentine Navarro lived there, and was ushered up into his rooms. She was in evening dress, and looked, if possible, more beautiful than ever. Her bodice was cut particularly low, and her white, dazzling bosom, on which glittered a huge string of diamonds, heaved with a conscious beauty. She entered the room smiling, and threw her cloak on to a couch. When Valentine could speak, he said simply.

"I am glad you have come."

"Ah yes, my dear Valentine, I have come to see you once more. Have I brought you back from your home to Paris?"

"You have."

"You look very ill—terribly ill."

"You have done it."

She smiled and laughed softly.

("Oh, subtle and sterile Dolores,
Our Lady of Pain.")

She came forward, put her arms round his neck, and gave him a little kiss, and then sat down near to him before the fire.

"What do you want?" she asked.

"You, only you."

"You want a great deal."

"I must have you, or else—— You are driving me mad, my brain is on fire! I cannot think, cannot act without you. You are essential to me. Will you return with me and be my wife?"

"Once and for all, no!"

"No!"

"No. I thank you, Valentine; but what should I do as your wife? I should be wretched and miserable. I am—what I am, a creature that lives on pleasure—pleasure and pain."

"Oh, Dolores, you loved me once!"

"No, no, dear Valentine, never!"

"Never! You say that to me!"

"I do. I enjoyed your loving me, and you were instrumental in giving me my heart's desire."

"What was that?"

"Paris."

"Ah, I see; you longed to be—what you are now."

She gave a little shrug of her shoulders.

"Yes, yes, I was born for that. How I have succeeded!"

Valentine felt himself growing delirious. Would that vile, mocking smile never fade from her devilish lips?

He took hold of her hand.

"Listen," he said; "I am a desperate man——"

"No matter how desperate, dear Valentine, I shall not return. Love someone else—if you can—learn to love someone. I am wicked, bad, and rotten to the core, selfish and sensual. What should you want with me?"

She spoke with a certain intensity in her voice, looking into the fire as if she saw her own miserable soul mirrored there before her in the flames.

Valentine sprang to his feet, and stood over her. He trembled visibly in every limb, and his face glowered with a hate beyond description.

"Listen!" he cried, "you come with me or you die!"

In a moment she was frightened.

"What do you mean?" she said, springing also to her feet.

"Will you come?"

"No, never, fool!"

She would have screamed, but it was too late. He had her by the throat, and dragged her to the ground. She felt she was choking, and her cries died gurgling in her slim throat. Valentine grasped it as if with a vice. She struggled with all the intensity of mortal terror, seeing a knife in his right hand and demoniacal madness in his eyes. The expression of her features was frightful to behold.

"I love you!" she gurgled out in the hope of life.

"Liar!" he shrieked, and plunged the knife into her bosom. As he drew it out the blood spirted into his face.

Dolores the lovely, Dolores the incomparable, writhed in the agony of death on the floor. The smile had died from her lips. She bit them in her frenzy, and her hands clasped and unclasped; her eyes seemed starting from their sockets.

("Oh, subtle and sterile Dolores,
Our Lady of Pain.")

Valentine was at her again, hacking and stabbing her face and bosom with his knife. But she was dead. With a cry, he seized a sword-stick, and drove the blade—long, slender, and shimmering—into the corpse, pinning it to the floor.

It took him half an hour to obliterate with his knife the last traces of her beauty. Then he washed his face and hands, and changed his clothes.

He took a stick and hat, and walked calmly, smoking a cigar. He nodded to the landlady as he went down the stairs.

Once in the street he hurried away.

"Free! free! free!" he kept saying to himself. "There is now no Dolores, no beauty, to torture me. I shall be happy again."

He called on a familiar friend, took supper, joked, drank wine, and dandled a girl on his knee. Afterwards, under another name, he took rooms in a fashionable hotel, and plunged into all manner of dissipation and vice.

He was testing his powers of forgetfulness. He found them wanting. In his dreams Dolores haunted him still. A face that had once been beautiful, a face white and hollow, a face that bled a dozen wounds, floated in his dreams, and smiled and kissed him.

The murder took place on the 4th of August, 1852. On the 8th of that month Valentine was arrested.

"I am glad," he said; "kill me, and rid me of her for ever."

He was tried and found guilty. In answer to the judge, he made a full confession, and repeated in detail all the facts which we have before enumerated.

For some reason or other, instead of the guillotine, he was sentenced to imprisonment for life. He wept at hearing his sentence, and prayed for death.

We cannot follow his unhappy footsteps into the silence of the prison cell; we cannot say whether or no he found in life any peace or partial tranquillity, or whether, as before, the face of Dolores haunted his troubled vision; a face that had once been inexpressibly beautiful, a face white and wasted, that bled from a dozen wounds, upon whose bloodless lips there glimmered an eternal smile.

Pity the Ugliest.

JOHN WARDEN, an American lawyer, who practised at the Richmond Bar, and was a contemporary of Wirt and Wickham, was said to be the ugliest man in America. All his features were out of place, and nearly reversed. His mouth was enormously large, and his tongue was still larger than his mouth, so that his articulation was muddy and indistinct. A wag wrote his epitaph as follows:

"Reader, tread lightly o'er his sod,
For if he gapes you're gone by——"

Mr. Warden was the best conveyancer of his time, a most learned lawyer, a man full of pleasantry and good humour, and greatly sought after. He facetiously excused his ungainliness by assuring everybody that his parents had twelve children, and he was the handsomest of the family.

A Negative Recommendation.

A WELSH curate having heard of a vacancy, hurried to London and waited on Bishop Porteous, begging him to use his influence with Lord Chancellor Thurlow. "But you are not aware," said the Bishop, "that Lord Thurlow and I are on bad terms, and that a word from me will do you harm."

"But," answered the curate, "will your lordship allow me to make use of your name if I think it will do me good?"

"Certainly," was the reply, "but I warn you that you will derive no benefit or advantage from doing so."

The curate having procured an interview with Lord Thurlow, was very ungraciously received by the Chancellor, who asked him, "Who encouraged you to make the application?"

The answer came out slowly, and apparently very unwillingly, "The Bishop of London told me that I might use his name; but——"

"And what right has the Bishop of London, pray, to interfere with my patronage? You shall not have the living." The curate, in a desponding tone, rejoined, "The Bishop told me that if I used his name it would do me no good."

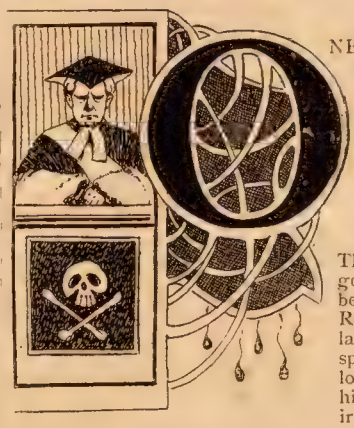
"Did he? Then you shall have the living." And his lordship made out the nomination there and then, and the curate went on his way rejoicing.

Abernethy versus Curran.

MR. CURRAN once being troubled with some ailment, consulted the celebrated surgeon, Dr. Abernethy, at the latter's residence in Bedford Row. He felt, however, that, being unknown, he had never had an opportunity of fully explaining his symptoms to the eminent doctor, and on his visit he determined that he would have his say, and not be "choked off" by the brusque and almost rude replies of the great expert in surgery. On the occasion of his next visit, he began to tell Abernethy his symptoms, but was snapped up by the great man's "Don't bother me with what I already know"; but, not to be silenced, Curran fixed his brilliant eyes on the surgeon and said: "Mr. Abernethy, I have been here on eight different days and have paid you eight different guineas, but you have never yet listened to the symptoms of my complaint. I am resolved, sir, that you shall satisfy me by doing so before I leave this room." The doctor, struck at this determined air of authority, threw himself back in his chair and assumed an attitude of resignation, saying, "Oh, very well, sir, I am ready to hear you; go on, sir, go on, begin with the whole story, your birth, pedigree, education, number of friends—the whole biography." Curran, not at all disconcerted, gravely began: "My name is John Philpot Curran. My parents were poor, but, I believe, honest people, of the province of Munster, where also I was born, being a native of Newmarket, County of Cork." He went on with this pedigree with great volubility and wit, and the finest brogue, till the eminent surgeon gave in, and expressed his willingness to listen to the learned lawyer, and he then got a correct and full description of his sufferings. The doctor saw that he had met his match, and from that day forward took a great interest in his patient, whose symptoms resulted from too frequent jollifications and total disrespect of his stomach, so the great doctor informed him.

THOMAS HARTLEY MONTGOMERY'S ATROCIOUS DEED.

TWO YEARS' TRIAL FOR MURDER.



ONE of the most conspicuous figures in the small Irish town of County Tyrone rejoicing in the somewhat peculiar name of Newtownstewart, was the sub-inspector of police who had charge of that district. His name was Thomas Hartley Montgomery. His father had been an officer in the Royal Irish Constabulary, and was a man respected, feared, and loved by all who knew him: respected for his irreproachable character and as a diligent preserver of the peace; feared for his sternness and impartiality when duty called him; and loved for his kindness and devotion to his home when his sword and uniform were thrown aside. He had but an only son, to whom he had given an excellent education, and for whom after leaving school he procured a situation in the Belfast Banking Company. He turned out an exceedingly smart youth, and as bank messenger he soon made such progress that in a year or so he became a clerk, and pleased the manager so much that he was appointed under-cashier after he had served the house seven years.

Rapidly, however, as he had gained a position, the young man's ideas were outside the office, and he had no taste for shovelling up gold into the scales, running his fingers over piles of crisp notes, or tying up canvas bags of sovereigns. His whole thoughts were of one day entering his father's profession, and he longed for the adventurous life of an Irish soldier-policeman. So he studied hard in order to qualify himself to pass the primary examination and become a cadet, succeeding at the first attempt, when he threw up his situation at the bank and fairly launched himself upon that career that had been his ambition to embrace for so many years. This was in 1866, and so well did he acquit himself that he was appointed third-class sub-inspector in charge of the Newtownstewart District in County Down. In his new sphere he performed his duties very efficiently, and was soon raised to the second-class rank. Shortly after this he married, and, in accordance with the regulations of the force, was removed to the district of which Newtownstewart is the headquarters, and became, as we have said, one of the most conspicuous figures in that part of the country.

Thomas Hartley Montgomery was indeed a fine specimen of a man; of splendid physique, standing over 6 feet in height, he had broad shoulders and full chest, and an altogether muscular frame, the constabulary drill having given him a soldierly bearing. His heavy moustache did not entirely conceal his firmly-compressed lips, which denoted a determined will. His face was naturally pale, his forehead narrow and slightly receding. His eyes were peculiar, the pupils being of a very dark blue, and they rolled about on occasions with quick, furtive glances.

You now have a word picture of Sub-Inspector Thomas Hartley Montgomery, the prominent townsman of Newtonstewart, the custodian of the peace in the district, and the man who startled and perplexed for a time all Ireland, and, indeed, Great Britain, with one of the most daring, atrocious murders ever known in the annals of crime. We might say

that in all its tragic incidents it stands unique. We have not the space to devote to following up every link in the wonderful chain of evidence by which this legal triumph of conviction was ultimately achieved. We say ultimately, for the trial of this man was protracted for the incredible period of two years after his arrest. For nearly two months the coroner was making inquiries before the jury returned their verdict of guilty. Immediately after this, application was made to the Crown for the postponement of the case on account of the extraordinary party feeling in the matter. So it was not until the summer assizes of 1872 that the accused was called upon to plead. This was before Mr. Justice Lawson. Naturally, the case was gone into thoroughly, and counsel on both sides were eminent members of the Bar. But the jury had to be discharged without returning a verdict. Naturally, after this (and undoubtedly certain men who formed the panel of that jury had much to do with it) Inspector Montgomery had a wider popularity than ever, for those who had sided with the jury who were for "Not guilty" looked upon him as a perfect martyr. On the other hand, those who were of the opinion that their inspector had committed the deed, in a true Irish fashion thirsted for his blood, and would have lynched him right off if they had had the chance.

The next trial was not heard until the Spring Assizes of 1873, and when Mr. Justice Barry went to Omagh to try this difficult case, it was generally believed that a similar result would add further to the excitement. Popular conviction proved to be correct, for, after several days' hearing, the jury retired for the purpose of considering their verdict, and, there being one or two of their members who had crochety notions of their own to account for the murder without implicating Montgomery, they found it impossible to agree, as in the first instance.

Finally, he was convicted upon purely circumstantial evidence, which was so strong that there should have been little doubt about his guilt all through the proceedings, and the melancholy drama which had been lingering upon the stage for two years reached its climax in the execution of the miserable criminal.

So much for an outline of this extraordinary deed, as it would be impossible to follow it in all its stages; and now for the crime itself, and how this chain of evidence led very, very slowly but surely to the perpetration of the deed and the gallows.

* * * * * * *

It is a lovely summer's afternoon in the June of 1871. To be particular, the 29th of the "month of roses." There is a quietude about the old-fashioned streets, for the little Pats and Patesses are at school, and are learning the history of their Emerald Isle, and are convinced that they are all with Fitzpatrick blood flowing in their veins. They have nearly finished their day's education, and, having had just a dash of holiness thrown in at the completion of their afternoon's tasks (just to keep them from the clutches of the Serpent), they are dismissed with pats on their heads and "Pats" in their hearts to have a romp in the streets preparatory to taking their meals of buttermilk and "praties."

As they skip away from the schoolhouse, they come down laughing and shouting the main street of Newtownstewart, wherein are the best shops and the bank. Nearing the money depository, they become suddenly hushed, and cease their gambols, for there is a tall, thick-set man walking down the road towards them. He is paler than usual, and there is a frown upon his brow which awes them. He is the chief of police in their town, and they are always quiet when they meet him. Many have been taught from the cradle to fear him. But to-day they seem more than ever to dread him, and they pass him by, slinking away. A few less fearless little ones, though, shout a word or two of salutation to a man who is leaning upon the bank railings and smoking an inky-black pipe about an inch and a quarter in length from its sweating bowl.

His name is Bernard Gillian, and, in costume, he is a typical Irishman of the peasant class.

"Get away wid ye!" says Pat Bernard; and the youngsters romp off, with a volley of observations in such brogue that it would be difficult for a native (unless he were a Newtownstewarter) to comprehend, and their melodious little voices, if somewhat loud, die away in the distance, and the streets reassume their normal quietude, whilst Pat Bernard puffs away at his juicy little pipe, and staringly contemplates —nothing.

All at once the stillness of that lonely summer's afternoon is broken by a shouting of "Murder! murder!" followed by several groans. Again there is a dead silence, and Pat, who has shifted his position to the rear of the building and is unable to see the front entrance to the bank, takes the pipe from his mouth, tilts his soft felt rimless hat upon his head, and quietly scratches his pate, saying to himself, "Begorra, that sounds queer! I wonder what's the matther?" Replacing the indispensable atom of clay in his broad mouth, which was palpably formed for grinning, he slowly walks round to the front of the premises. Some thirty yards away there is a man in the police uniform walking quickly in the direction of the Omagh Road.

At that moment two women who are employed in the bank rush out shrieking, "Murder! murder! Help! help! Mr. Glass, our cashier, has been killed!"

Even in a deserted village a crowd will collect quickly; but in Newtownstewart on that June afternoon hundreds were outside the bank within a few minutes of the first alarm.

And now let us drop the curtain upon the first scene, which was an exterior, and raise it upon the interior of the business premises of the National Bank of Newtownstewart.

It is the afternoon of Thursday, June 29, 1871; the town

"Begorra! that sounds quare!"

is more particularly quiet, for the market is held upon this day of the week at Dremapem, and many journey there to transact business. Amongst those who regularly attend the little Irish town on Thursdays is Mr. Strahan, manager of the Newtownstewart Bank, for they have a branch there which only opens its doors on market days. So everything being quiet and in order, he has left Mr. Glass, his cashier, in charge. There is little to do, and about three o'clock he has the cash made up and is ready to attend to the letters and make everything secure, close the bank, and go home to tea, after which he is likely to have a little fishing in the river, for the young cashier is fond of angling. There is one matter, however, upon this particular occasion which somewhat puzzles him. There is an American draft which has come to hand, bearing the signature "Colts," and he is doubtful as to whether he ought to charge for cashing it.

At this moment, just as he is about to lock the safe and leave the question over until the morrow, when Mr. Strahan will return, who should walk in but Mr. Inspector Montgomery. Nothing could be more fortunate. Knowing the long experience of seven years the inspector possesses, he will ask him. Accordingly, Mr. Thomas Montgomery is

invited to step into the inner office. Mr. Glass puts the question, and then turns to the open safe to get the draft, in order to submit it to the chief constable.

He never looks upon that cold-blooded arch-fiend's pale face again. Montgomery draws from beneath his cloak, which is held over his arm, a recently-ground bill-hook; raising it over his head, he deals a blow upon the top of the unfortunate Glass's cranium, and the formidable weapon is buried in the brain. But the work is not done. Again and again does he make blows at the prostrate and dying man, until he has dealt no less than a dozen. Not satisfied with his ghastly work, made more ghastly by the summer's sunbeams striking through the windows on to the ground, where there are great pools of steaming blood, made more crimson by the light thrown upon it, this demon incarnate, who has seen bullocks killed many a time, snatches up one of the iron files from the table; then, inserting this improvised instrument into the large cut and fracture across the top of the head, he rams it down into the brain, and stirs it round, thus so far completing his terribly ghastly work.

This done, it takes but a moment to snatch a large cash-box from the safe, and, taking the bunch of keys from the dead man, who is weltering in his blood upon the office floor, he unlocks it, and turns the gold into the side-pockets of his great-coat. Grasping the notes in his hand, he is about to stuff them into the front of his tunic, when he fancies he hears a step outside the door. He starts, and, in his fright, drops the notes, and they fall into the pool of blood. So greedy is he, though, that he picks them up, wipes them on the dead man's clothes, and, wrapping them in a newspaper which he has taken from his pocket to make room for the sovereigns, he steps carefully over the corpse so that his boots shall not be stained, and quickly picking up the bill-hook with which the deed has been done, and wrapping it up with a piece of the "Belfast News-Letter" of latest date, he quietly walks in the direction of the Omagh Road. The alarm is given shortly after he has gone. Without betraying the slightest emotion, he makes his way to a secluded place, known as Grange Woods. There, beneath a great stone, he deposits most of the money, and thrusts the still wet, bloody notes into a hole. Then, making a near cut by way of the railway embankment, he hastens to his home.

The shocking deed is done. The booty is secure. Then a careful examination of his uniform satisfies him that he has escaped all splashes of blood; but upon the boots there are some spots that might betray him; so changing them for a clean pair, and throwing the others into a cupboard, so that he may remove the stains later on, he washes his hands, and then returns calmly to the bank, and enters the room of the tragedy. His coolness is marvellous, for amongst those who have arrived before him is a Mr. Scott, a magistrate, who desires him to search the room for anything that may form a clue. All he can discover is a large piece of hair attached to some skin that has been severed from the head of the late gentleman. This he hands to one of the constables, desiring him to take great care of it.

HE NEVER LOOKED ON THAT COLDBLOODED ARCH-FIEND AGAIN.

Montgomery was back upon the scene of his atrocious crime by five o'clock, and it was only 3.45 when Sub-constable M'Erlane had been fetched to the bank. Was there ever so barefaced a murder or such nerve displayed?

Of course the shocking affair spread like wild-fire, and in the course of a few hours police from all parts arrived upon the scene. Mr. Strahan, the manager, discovered on his return that a sum of £1,605 5s. 10d. and £35 10s. in notes was missing.

On the Friday the greatest excitement prevailed, but, although some strange rumours were current, few there were who but laughed at such a man as Montgomery, the handsome, respectable officer, who held such a position in the county, being associated with such a foul crime. But when it was stated in one quarter that this officer had on more than one occasion talked of how easy it was to rob banks; when another statement was that he had asked a medical man

which was the best place to strike anybody upon the head if they desired to stun him; and still a third that Mr. Montgomery was in such low financial water that he was unable to pay, and that he had been dabbling upon the Stock Exchange, people looked at each other in blank amazement and asked themselves if it could be possible for a man like this sub-inspector to perpetrate such a crime.

The inquest was held on July the 10th, but little or nothing was elicited as to the money, the implement which had been used, or the slightest trace of the murderer afforded. Two hundred police were engaged in scouring the neighbourhood, but until the 10th, when the coroner had adjourned the inquest, news came in that the money (or part of it) had been found.

One of the searchers had discovered £1,358 under the stone where it had been placed immediately facing the gate through which Montgomery had been seen to pass on the afternoon of the murder, for a man named O'Moore swore that he had seen him pass there about twenty minutes after the hour that the crime was expected to have taken place.

This was sufficient to effect his arrest, and the sub-inspector was therefore sent to Omagh Gaol. The crowd made a tremendous demonstration, and so great was it, many shouting, "Lynch him!" that the constabulary had to fix their bayonets and threaten to charge upon the crowd.

After this the most extensive measures were adopted to bring the crime home; some rolls of paper were found near the wood. They were stained with blood and were two sheets of the "Belfast News-Letter." Then a newsboy told how he had sold a copy of that date's journal to Mr. Montgomery, and that was looked upon as another important clue, and at the adourned inquest the jury returned a verdict of wilful murder.

Of the trials we have spoken—how they dragged on for a couple of years and how the juries could not agree. Nevertheless, the web was gathering around the murderer thread by thread. It had been elicited that the accused had been actually seen to come out of the bank door about the time of the murder and to look up and down the street. It was also proved that a man, presumably Montgomery, was talking in the room with Mr. Glass just before the cries and groans were heard in the street and by the women in the house.

Dr. Tod said the deceased had twelve wounds in his head, and Dr. Thompson was of opinion that the murderer, if careful, might have avoided being splashed with blood. At length the billhook came to hand and the piece of "Belfast News-Letter" was also discovered, stained with human blood. Then the notes were discovered in a hole in Grange Woods, saturated, some of them, with blood. But nothing was found at Montgomery's house to incriminate. Still the evidence against the prisoner was very strong, and, finally, he was sentenced to death, after having, perhaps, a longer and more patient trial than ever afforded a murderer either before his time or since.

It was, as we have already stated, a desperately cold-blooded murder. There was no secret motive. The men were friends, and even fished together, it was said. It was done simply to cover robbery. Just what a burglar would have done to a dog who faithfully guarded his master's door. That everybody was satisfied with the final verdict is certain, but the case had hung along for so great a period that everybody was sick of it, and, extraordinary as it may seem, not the slightest interest was taken when the murderer was executed.

On Tuesday, the 26th of August, just two years and two months after the committal of the murder of Mr. Glass, the cashier of the National Bank of Newtownstewart, a very small party congregated within the gaol of Omagh to see the end of Thomas Hartley Montgomery, who had committed the crime of so dastardly and cowardly a nature that it had shocked the feelings of the most ignorant in all Ireland. Happily, the culprit's father, who had held such an honourable position in the Royal Irish Constabulary, had died a few months before the deed was done, and had been saved the ignominy of seeing his only son a condemned felon. His uncle, however, Mr. Grier, was present.

When the condemned man was pinioned he shook hands with the executioner, and walked steadily, accompanied by the Rev. Mr. Chartres and the Rev. Mr. Irvin, whilst the prison officials and several medical men formed the procession. Montgomery, in a loud voice, repeated the Lord's Prayer, and walked firmly as the bell tolled, until he caught sight of the scaffold, when for a moment he faltered and half staggered. Regaining his nerve in a few seconds, however, he marched slowly on to his doom, the chaplain of the prison reading the usual service.

At this moment one of the gaolers came to the governor and placed two letters in his hand. They were addressed to the prisoner, but they were too late to be delivered. One foot was in the grave. One letter from his wife was marked, "A Free Pardon from the King of Kings," the other simply, "Immediate."

The rope was quickly adjusted, the culprit standing erect and steady, whilst not a word escaped his lips. He did not assert his innocence upon the scaffold, neither did he acknowledge his guilt.

The final drop into eternity came swiftly, and there was only just a little twitch of the rope, indicating that his life had sped.

Dr. Murray, of the Royal College of Surgeons, took a cast of the face of one of the most extraordinary and coolest-handed criminals who ever perpetrated a foul deed.

The JUDGE and JURY

PART X.

THE CASE FOR "NEW TRIAL" RATHER THAN A COURT OF CRIMINAL APPEAL.

THERE is an old American yarn about some boys who were had up before his Honour for playing the game of Keeno in the street. His Honour took a lively interest in everything that was told him, and he was determined to get at the bottom of the fascinating game. "Why, your Honour," exclaimed an officer, "it's like this. Each boy has a card with nine numbers on it. Another boy keeps on drawing numbers out of a bag, and the boy whose card's nine numbers are first all drawn shouts out 'Keeno!' and the game's all over." "That's not a bit like it," one of the prisoners declared. "Well, let us have your version," said the kindly magistrate. "Why, your Honour, it's like this. Each boy has a card with nine numbers on it. Another boy keeps on drawing numbers out of a bag, and the boy whose card's numbers are first all drawn out shouts 'Keeno!'——" "What are you wasting the time of the court for? That is exactly what the officer said," his Honour indignantly observed. "Yes, your Honour, the officer was all right so far," said the small boy; "but the officer said that as soon as the winning boy shouted 'Keeno!' it was all over. As soon as the winning boy shouts 'Keeno!' all the other boys shout . . . ." (words best left to the reader's imagination.)

Now it is perfectly obvious that in the majority of cases the re-hearing of a lot of evidence would only result in distinctions without essential differences. For all that, in India appeals both on the facts and on the law are admitted in all criminal cases whatever in which any heavier sentence than a fine of fifty rupees or an imprisonment of one month is inflicted. Every capital sentence is referred to a superior court for confirmation before it is carried out, and means are taken to enable every convicted person to appeal with hardly any trouble or expense. In the large majority of cases there is no appeal at all, for the simple reason that the convicts are well aware that they are and have been proved to be guilty. In the Army a soldier had an appeal to a district court-martial against any sentence of his commanding officer affecting the prisoner's pay. If the prisoner were "Deprived one day's pay and awarded three days' confinement to barracks," he was entitled to claim an appeal to a court-martial. A commanding officer who meant to "have no nonsense" might award "twenty-eight days' confinement to barracks," and that sentence would not be liable to an appeal. Until 1892 there kept coming out army order after army order, for all of which H.R.H. the Duke of Cambridge was nominally

responsible. One would say: "The fact that a man has appealed against the sentence of his commanding officer should not cause courts-martial to pass heavier sentences than they would otherwise do." A short time afterwards there would be a circular letter to say that appeals from the sentence of commanding officers were getting a great deal too common. Courts-martial must take steps to prevent the recurrence of such a state of things. And, again, in another year or so, courts-martial would be told to revert to their former way of doing things. At present if an offence is of such a slight nature that a commanding officer is empowered to dispose of it himself (a commanding officer not below the rank of major may award fourteen days' imprisonment with hard labour) the prisoner is given his choice of going before a court-martial or of abiding by his commanding officer's award. There is no appeal from a regimental court-martial to a district (now called "divisional") court-martial, nor from the latter to a general court-martial. On every general's staff there is one officer specially detailed to look through court-martial proceedings, and there is the Judge Advocate-General up in London for the more serious cases. As regards criminal cases outside those tried by court-martial, Sir James Fitzjames Stephen pointed out that whenever serious doubt is thrown on the propriety of a given conviction the Secretary of State for the Home Department may be called upon, usually by popular clamour, to overrule the verdict of a jury by his own private opinion formed on grounds that are never made public, and on evidence given under no sanction, after which he has to advise the Sovereign to grant a free pardon for guilt on the ground that the guilty man is innocent.

The only serious question arising from this state of things is: What is the most appropriate remedy? The choice lies between two courses. Either a person convicted of crime ought to be allowed to move for a new trial, as may be done by the unsuccessful party in a civil action, or some sort of Court of Appeal upon the facts must be instituted. Until late in life Sir James Fitzjames Stephen was of opinion that the latter would be the better course of the two. In 1877 he wrote:

"Further experience and reflection have led me to change that opinion. The principal reason which formerly led me to prefer a Court of Appeal was that the most important class of criminal cases in which new trials are desirable are cases in which new trials would not be granted if the matter were civil. Dr. Smethurst's case afforded a striking illustration of this. He was tried and convicted in 1859 for poisoning Isabella Bankes, his mistress, and after the trial there was reason to believe that the importance of certain medical questions which were referred to on the trial had not at that time been sufficiently appreciated. Anyone who will study that case will, I think, agree with me in saying that the proper course would have been a new trial. As it was, Smethurst was pardoned because Sir Benjamin Brodie reported to Sir George Lewis his opinion that 'There was not absolute and complete evidence' of Smethurst's 'guilt.' If the proceeding had been a civil one, if Smethurst had been sued for damages for causing Miss Bankes's death, and if a verdict with ruinous damages had been given against him, I do not think that he would have entitled himself to a new trial merely by showing that the evidence given in his favour might have been stronger that it was, and that if he had seen all the bearings of the question he would have shaped his case differently. The answer in such a case would have been: 'You must go further than that; you must either show that under the circumstances in which you then stood you could produce no more evidence than you did, or else you must take the consequences of your own neglect.' This, though satisfactory between party and party, would not, and ought not to satisfy the public in the administration of criminal justice. It would be practically impossible to carry out a sentence of death or penal servitude whilst there was a serious doubt as to its justice, because the convict or his advisers had not understood their case, and so had failed to present it properly to the court.

"From this consideration I formerly drew the inference that the proper remedy in cases like Smethurst's, where the parties had failed to bring the matter forward in a satisfactory way, was not a motion for a new trial, but the institution of a public inquiry before the Home Secretary and some selected judges. I am now disposed to think that the difficulty I have pointed out might be met by enabling the court to grant new trials in criminal cases on somewhat different terms from those on which they would be granted in a civil case. On all other grounds it seems to me that power to grant new trials would be better than the institution of a system of appeals properly so called. Not to insist on other reasons for this opinion, I would observe that Trial by Jury is the standing method of trial in this country, and that it is more in accordance with all our habits to let the final decision of all questions of fact rest with a jury than to send them before a small number of specially selected judges."

Sir James Fitzjames Stephen was a very great judge. A prisoner's present right of giving evidence on his own behalf is largely due to him. The present system is happy-go-lucky in the extreme. We recently saw a betting man's sentence very materially reduced on appeal to Quarter Sessions. A magistrate's punishment of a licensed victualler is liable to similar treatment at similar hands. There is a great deal to be said for the French "Court of Cassation," whose powers of "quashing" (French, casser—to quash) the sentence on "ex-Captain" Dreyfus (possibly "Captain Dreyfus" before these lines are in print) or of ordering a new trial are so extensive that the editors of the "Encyclopædia Britannica" either jibbed at them altogether or hid their description of them so completely that the average man may search for it in vain. In our own Royal Navy it always used to be a case of "You can appeal if you like, but you are to be hanged to-morrow. Better spend your time in some better way than in writing a complaint."

Leaves from Our Notebook.

A Condemned Son's Protest.

A YOUNG man was condemned to death for highway robbery in the year 1796, and whilst he was being conducted to the place of execution was met by his mother. The unfortunate criminal begged to be allowed to speak a few farewell words to her, and, his request being granted, he called her to him, and, putting his mouth close to her, as if to whisper something, he deliberately bit off a large piece of her ear. "I treat you thus," he said, "to make you an example to all parents who take no heed to bring up their children in the practice of virtue."

His Device Was a Failure.

A MAN named Hartley was condemned to death in the year 1722 for highway robbery. It appears that he and an accomplice had stripped the clothes off a journeyman tailor, tied him to a tree, half naked, and robbed him of all he possessed, which it afterwards transpired was the munificent sum of twopence halfpenny, and the clothes. Hartley thought very deeply of how he could obtain a pardon, and at last hit upon the following rather ingenious device. He engaged six young women to go to St. James's Palace, dressed in white, and to present a petition there to the King on his behalf. The singular manner of their coming, their peculiar dress, and the strangeness of their appearance procured for them the necessary admission to the Royal presence, and they duly delivered the petition; they also told the King that if he would extend his Royal mercy to the condemned man they would cast lots as to which of them should be his wife. The King, however, with ready wit, answered that Hartley was much more deserving of the rope than of a wife, and said he could not accede to their petition.

Answers to Correspondents

The Editor will be pleased to answer any suitable questions.

M. D.—The dissection of the bodies of executed criminals was abolished by law as long ago as 1832. It became unpopular as a consequence of the "Resurrectionist" scandals.

LEX.—The only case that we can recall is that of Smith and Pratt, who were hanged at the Old Bailey in March, 1835, through a mistake in the death warrant. As the offence for which they were condemned was committed in Surrey they should have suffered in that county.

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